**REPUBLIC OF LITHUANIA**
**LAW ON THE AMENDMENT TO THE LAW ON RADIATION PROTECTION NO. VIII-1019**

21st June 2018 No. XIII-1283
Vilnius

**Article 1. New edition of the Law of the Republic of Lithuania on Radiation Protection No. VIII-1019**

To amend the Law of the Republic of Lithuania on Radiation Protection No. VIII-1019 and set forth as follows:

**REPUBLIC OF LITHUANIA**

**LAW ON RADIATION PROTECTION**

## CHAPTER I
## GENERAL PROVISIONS

**Article 1. Scope of the law**

1. This Law establishes the legal framework of the radiation protection to protect persons exposed to occupational, medical and occupational exposure and the environment against the dangers arising from ionising radiation. It regulates the relations between natural and legal persons arising from practices with sources of ionising radiation, including radioactive waste management as well as the competence of state institutions in the field of state management of radiation protection.

2. The provisions of that Law apply to existing, planned and emergency exposure situations related to the risk from exposure, which must be assessed in terms of radiation protection or the environment to ensure the long-term protection of human health.

3. This Law regulates practices with sources of ionising radiation and radioactive waste management in the nuclear energy filed to the extent that are not regulated by the Law of the

Republic of Lithuania on Nuclear Energy , Law of the Republic of Lithuania on Nuclear Safety and Law of the Republic of Lithuania on Radioactive Waste Management.

4. The provisions of this Law are in line with the legal acts of the European Union specified in Annex 2 to this Law.

**Article 2. Basic definitions of this law**

1. **Activation –** is a process through which a stable nuclide is transformed into a radionuclide by irradiating with particles or high-energy photons the material in which it is contained.

2. **Activity (A)** (hereinafter – activity) – is an amount of decays of a radionuclide in a particular energy state at a given time, expressed as A = dN / dt, where dN – is the expectation value of the number of nuclear transitions from that energy state in the time interval dt. The unit of activity is the Becquerel (Bq).

**3. Protective measures** – measures, other than remedial measures, for the purpose of avoiding or reducing doses that might otherwise be received in an emergency exposure situation or an existing exposure situation.

4.**Exposure** – the act of exposing or condition of being exposed to ionising radiation emitted by source of ionising radiation outside the body (external exposure) or within the body (internal exposure).

5. **Exposed worker** (hereinafter – worker) – worker, as defined in the Labour Code of the Republic of Lithuania, who is subject to exposure at work carried out within a practice with ionising radiation sources and who is liable to receive doses exceeding one or other of the dose limits for public exposure. Natural person working under other legal relations deemed equal to labour relations or engaged in the unpaid activities as established in the Law on Employment of the Republic of Lithuania is also considered as worker within this Law.

6. **Person** – citizen of the Republic of Lithuania or another Member State of the European Union or the Member State of the European Economic Area (hereinafter – Member State), another natural person exercising the rights of movement within Member States conferred by the European Union legislation. This also covers legal person established in the Republic of Lithuania, legal person, other organization or its branch established in other Member State, as well as branch of other foreign legal person or organization established in the Republic of Lithuania.

7. **Radiation protection officer** – a natural person who is aware and technically competent in radiation protection matters and assigned to supervise or perform the implementation of the radiation protection arrangements.

8. **Person responsible for physical protection of radioactive sources** (hereinafter – physical protection officer) - a natural person who has knowledge and technical competence in the field of physical protection of radioactive sources and who is assigned to supervise or perform the implementation of the requirements on the physical protection of radioactive sources.

9. **Reference level –** in an emergency exposure situation or in an existing exposure situation, the level of effective dose or equivalent dose or activity concentration above which it is judged inappropriate to allow exposures to occur as a result of that exposure situation, however, this level may be exceeded in the particular situation**.**

10. **Emergency –** a non-routine event involving source of ionising radiation that necessitates prompt action to mitigate serious adverse consequences for human health and safety, quality of life, property or the environment, or minimize a hazard that could give rise to such serious adverse consequences. Concept of emergency covers radiological and nuclear accident.

11. **Emergency worker –** natural person taking actions specified in the accident management plan while eliminating the consequences of an accident and who might be exposed to ionising radiation**.**

12. **Emergency exposure –** an exposure of individuals, other than emergency workers, because of an accident.

13. **Emergency exposure situation –** a situation of exposure due to an emergency.

14. **Practice involving sources of ionising radiation in nuclear energy field** – activities with sources of ionising radiation in nuclear facilities, nuclear sites, as well as activities with materials of nuclear fuel cycle, nuclear materials and fissionable materials in quantities specified in Annex 1 to the Law on Nuclear Safety.

15. **Dosimetry service –** a person or its unit, who calibrates individual monitoring devices, read and (or) interprets individual monitoring data, and (or) measures radioactivity in the human body and (or) biological samples, and (or) assesses doses and whose competence in these areas is recognised by the regulatory authority.

16. **Existing exposure situation –** an exposure situation that already exists when a decision on its control has to be taken and which does not call or no longer calls for urgent measures to be taken.

17. **Public -** natural persons other than exposed workers, trainees or students as well as natural persons that were exposed on health care purposes or while voluntarily assisting to the patients, or those participating in biomedical research.

18. **Public exposure –** exposure of individuals in existing, planned and emergency exposure situations, excluding any occupational or medical exposure**.**

19. **Analysis of threats to the radioactive sources** – assessment of potential risk factors and illegal acts affecting the physical protection of radioactive sources.

20. **Ionising radiation –** energy transferred in the form of particles or electromagnetic waves of a wavelength of 100 nanometres or less (a frequency of $3 \times 10^{15}$ hertz or more) capable of producing ions directly or indirectly**.**

21. **Generator of ionising radiation –** a device capable of generating ionising radiation, such as X-rays, neutrons, electrons or other charged particles. Generator of ionising radiation is considered as a source of ionising radiation.

22. **Source of ionising radiation –** an entity that may cause exposure, such as by emitting ionising radiation or by releasing radioactive material.

23. **Clinical responsibility –** responsibility of a practitioner for individual medical exposure of asymptomatic patients undergoing medical or dental diagnosis or treatment intended to benefit their health, volunteers involved in biomedical researches as well as carers and comforters. This responsibility in particular refers to justification; optimisation; clinical evaluation of the outcome; cooperation with other specialists and staff, as appropriate, regarding practical aspects of medical radiological procedures. It also includes obtaining information, if appropriate, on previous examinations; providing existing medical radiological information and/or records to other practitioners and/or the referrer, as required; and giving information on the risk of ionising radiation to patients and carers and comforters, as appropriate.

24. **Quality assurance –** all those planned and systematic actions necessary to provide adequate assurance that a structure, system, component or procedure used in practice with sources of ionising radiation will perform satisfactorily in compliance with agreed standards**.**

25. **Outside worker –** any exposed worker including apprentice and student, performing activities in the supervised and controlled areas, but who is not employed by the undertaking that performs practice with sources of ionising radiation and is responsible for the those areas**.**

26**. Temporary permits for activities with the sources of ionising radiation** (hereinafter – temporary permit) - a document issued to a person by a regulatory authority or a record in the State Register of Sources of Ionising Radiation and Occupational Exposure or the Information System of Licensing. This document permits a person entitled by a Member State to perform practices with sources of ionising radiation, to carry out temporarily such practices in the Republic of Lithuania under the conditions of practices specified in this document or record.

27. **Temporary permit for transportation of radioactive waste except those produced in the nuclear fuel cycle** – a document entitling a person to import radioactive waste to the Republic of Lithuania, export them from or transport inside the country, except those arising from the nuclear fuel cycle.

29. **License for practice with sources of ionising radiation** (hereinafter – license) – a document issued to a person by a regulatory authority or a record in the State Register of Sources of Ionising Radiation and Occupational Exposure or the Information System of Licensing. This documents entitles a person to carry out a practice with sources of ionising radiation in accordance with specific conditions laid down in that document or record.

30. **Medical exposure –** exposure incurred by patients or asymptomatic individuals undergoing medical or dental diagnosis or treatment intended to benefit their health, as well as by carers and comforters and by volunteers in biomedical research.

31**. Medical radiological procedure** – any procedure giving rise to medical exposure;

32. **Clearance** – release from radiation protection requirements of radioactive materials arising from any practice with sources of ionising radiation subject to notification or authorisation.

33. **Non-medical imaging exposure** – any deliberate exposure of humans for imaging purposes where the primary intention of the exposure is not to bring a health benefit to the individual being exposed.

34. **Exemption level** – a value established by a regulatory authority or in legislation and expressed in terms of activity concentration or total activity at or below which a source of ionising radiation is not subject to the notification of regulatory authority about it or authorisation of practice with it.

35. **Exempted practice with sources of ionising radiation** (hereinafter - exempted practice) – practice with sources of ionising radiation not subject to regulatory control.

36. **Orphan source** – a radioactive source which is not subject to the regulatory control, because it has never been under regulatory control or because it has been abandoned, lost, misplaced, stolen or otherwise transferred without proper notification of regulatory authority about it and authorisation of practice with it.

37. **Planned exposure situation** – an exposure situation including both normal and potential exposures that arises from the planned operation of a source of ionising radiation or from a human activity which alters exposure pathways, so as to cause the exposure or potential exposure of people or the environment.

38. T**rainee or student** – a natural person trained or studying with an operator who carries out practices with sources of ionising radiation in order to provide him with special skills.

39. **Practitioner** – a medical doctor including dentist entitled to take clinical responsibility for an individual medical exposure incurred by patients or asymptomatic individuals undergoing medical or dental diagnosis or treatment intended to benefit their health, as well as by carers comforters and volunteers in biomedical research.

40. **Notification** – submission of information to the regulatory authority to notify the intention to carry out a practice with ionising radiation that is within the scope of this Law.

41. **Occupational exposure** – exposure of workers, apprentices and students, incurred in the course of their work.

42. **Radiation protection** – entity of legal, organizational and technical measures aimed to ensure the protection of humans and the environment against the harmful effects of ionising radiation.

43. **Radiation protection expert** – an individual having the education, knowledge and experience needed to give radiation protection advice in order to ensure the effective protection of human and the environment against ionising radiation, and whose competence in this respect is recognised by the regulatory authority.

44. **Radioactive substance** – substance that contains one or more radionuclides the activity or activity concentration of which cannot be disregarded from a radiation protection point of view.

45. **Physical protection of radioactive sources** (hereinafter – physical protection) – the entity of legal, organizational and technical measures including competencies of undertakings and/

or their personnel dealing with radioactive sources that are intended to ensure the protection of radioactive sources against illegal possession, loss, theft, use on terrorism purposes, unauthorized access to, use or transfer of them, as well as other illegal actions endangering human health and safety due to ionising radiation and to ensure the prevention of such actions.

46. **Radioactive source** – a source of ionising radiation containing radioactive material which radioactivity is being utilised;

47. **Radiological accident** - a non-routine event occurred due to equipment or technological process failure, loss of control of ionising radiation source or other reasons related to enter of radioactive material or ionising radiation into the workplace and (or) the environment and consequently to human exposure. This event may require immediate actions to mitigate serious adverse consequences for human health and safety, quality of life, property or the environment, or minimize a hazard that could give rise to such serious adverse consequences.

48. **Radiological incident** –a non-routine event occurred due to equipment or technological process failure, loss of control of ionising radiation source or other reasons and that is not classified as radiological accident but that can give a rise to radioactive materials or ionising radiation enter the workplace and (or) the environment and cause human exposure.

49. **Regulatory control** – regulation of radiation protection and physical protection of radioactive sources, assessment of radiation protection, authorisation of practices with sources of ionising radiation, and supervision of the enforcement of the requirements of legislation on radiation protection and physical protection of radioactive sources. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, in accordance with their competence shall carry out regulatory control in order to protect people and the environment against the dangers arising from ionising radiation.

50. **Regulatory authority** –Radiation Protection Centre or State Nuclear Power Safety Inspectorate (in accordance with their competence) designated by this Law to carry regulatory control of exposure of human and the environment as well as practices with sources of ionising radiation that is established by this law and other legislation regulating on radiation protection and physical protection of radioactive sources.

51. **Dose limit** – the value of the effective dose (where applicable, committed effective dose) or the equivalent dose in a specified period which shall not be exceeded for an individual.

52. **Carers and comforters** – individuals knowingly and willingly incurring an exposure to ionising radiation by helping, other than as part of their occupation, in the support and comfort of individuals undergoing or having undergone medical exposure.

53. **Radiodiagnostic** – pertaining to *in-vivo* diagnostic nuclear medicine, medical diagnostic radiology using ionising radiation, and dental radiology.

54. **Building material** – any construction product for incorporation in a permanent manner in a building or parts thereof and the performance of which has an effect on the performance of the building with regard to exposure of its occupants to ionising radiation.

55. **Consumer product** – an item into which one or more radionuclides have deliberately been incorporated or produced by activation, or which generates ionising radiation, and which can be sold or made available to members of the public and which is not subject to the regulatory control after sale.

56. **Practice with sources of ionising radiation** (hereinafter – practice) – an activity that can increase the exposure of human and the environment to ionising radiation emitted from the sources of ionising radiation and is managed as a planned exposure situation.

57. **Authorisation of the practice with sources of ionising radiation** (hereinafter – authorisation) – registration, licensing, or issue of the temporary permits for practice with sources of ionising radiation.

58**. Registration of the practice with sources of ionising radiation** (hereinafter – registration) – permission to carry out a practice with sources of ionising radiation granted by the regulatory authority through a simplified procedure comprising of record in the State Register of Sources of Ionizing Radiation and Occupational Exposure or the Information System of Licensing as established by this Law.

59. **Undertaking carrying out practice with sources of ionising radiatio**n (hereinafter – undertaking) – a person who has legal responsibility for carrying out a practice with source of ionising radiation or for a source of ionising radiation (including cases where the owner or holder of a source of ionising radiation does not operate with source of ionising radiation) under this Law, Law on Nuclear Energy, Law on Nuclear Safety and other legislation regulating radiation protection and physical protection of radioactive source.

60. Other definitions used in this Law shall be understood as defined in the Law on Nuclear Energy, the Law on Nuclear Safety, the Law on Radioactive Waste Management and the Law on Public Administration of the Republic of Lithuania.

**Article 3. General principles of radiation protection**

The basic principles of radiation protection are as follows:

1) Principle of responsibility for radiation protection. Undertakings bear full responsibility for ensuring radiation protection. Responsibility for radiation protection cannot be delegated to another person;

2) Principle of regulation and supervision of radiation protection. An effective regulatory and supervisory framework, including an independent regulatory authority, whose structure, competence, human and financial resources meeting the nature and scope of the pursued and planned activities must be build and maintained in order to ensure radiation protection. The graded approach should be applied to the regulation and supervision of radiation protection, which should be commensurate with the magnitude and likelihood of exposures resulting from the certain practices, and commensurate with the impact that regulation and supervision of radiation protection may have in reducing such exposures or improving the radiation protection;

3) Principle of leadership and management in ensuring radiation protection. Undertakings shall establish, improve and maintain a leadership and management system to ensure radiation protection. The responsibility for leadership must lie with the undertaking. The measures (legal, organizational and technical) and resources allocated for radiation protection should commensurate with the danger rising from the sources of ionising radiation including nature and likelihood of the danger;

4) Principle of justification: Decisions introducing a practice shall be justified in the sense that such decisions shall be taken with the intent to ensure that the individual or societal benefit resulting from the practice outweighs the health detriment that it may cause. Decisions introducing or altering an exposure limitation in existing and emergency exposure situations shall be justified by proving that they do more good than harm;

5) Principle of optimisation of radiation protection. Radiation protection of individuals subject to public or occupational exposure shall be optimised with the aim of keeping the magnitude of individual doses, the likelihood of exposure and the number of individuals exposed

as low as reasonably achievable taking into account the current state of technical knowledge and economic and societal factors. The optimisation of the protection of individuals subject to medical exposure shall apply to the magnitude of individual doses consistent with the medical purpose of the exposure. This principle shall be applied not only in terms of effective dose but also for equivalent doses, as a precautionary measure to allow for uncertainties as to health detriment below the threshold for tissue reactions.

6) Principle of limitation of risks and exposure to humans. Radiation protection measures must minimize the risk of exposure to ionising radiation for any person. In planned exposure situations, the sum of doses to an individual shall not exceed the dose limits laid down for occupational exposure or public exposure. Dose limits shall not apply to medical exposures;

7) Principle of protecting present and future generations. Present and future humans and the environment must be protected from the harmful effects of ionising radiation;

8) Principle of emergency prevention. All possible measures to prevent emergencies and mitigate their consequences if occur should be planned and implemented;

9) Principle of emergency preparedness and response. Emergency preparedness and response measures in case of nuclear or radiological accident or incident must be planned and implemented;

10) Principle of protection against naturally occurring ionising radiation or radiation resulting from activities which were not subject to regulatory control. Reasonable and optimized measures shall be taken to protect against naturally occurring ionising radiation or ionising radiation resulting from activities not subject to regulatory control.

**Article 4. Prohibited practices and restrictions on marketing**

1. The deliberate addition of radioactive substances to the foodstuffs, drinks, animal feeding stuffs, and cosmetics, toys, ornaments, other items or products to be swallowed, inhaled, injected or put on the skin, except justified practices involving medical exposure, as well as import or export of such products is prohibited.

2. Practices involving the activation of material resulting in an increase of activity in a consumer product, which after placing on the market can led to the human exposure, is prohibited. After assessing practice justification in accordance with the procedure established by the Minister

of Health of the Republic of Lithuania, Radiation Protection Centre can recognise such practice as justified in the light of technological and scientific progress.

3. Practices involving the activation of materials used in manufacturing toys and ornaments resulting in an increase of the activity in these products while placing them on the market or manufacturing, and can led to human exposure is prohibited. It is also prohibited to import or export such toys or ornaments as well as activated materials used for their production.

4. It shall be prohibited to place on the market consumer products which do not comply with the conditions for non–notified of justified practice specified in Article 10 (4) 1 of this Law.

5. Non–medical imaging of human using ionising radiation on art or publicity purposes is prohibited.

6. Manufacturers, importers, distributors of construction products or their authorized agents, before placement on the market, must implement radiological investigation of building materials specified in the list of building materials subject to mandatory radiological examination approved by the Minister of Health, and market them in accordance with the procedure established by the Law on Construction of the Republic of Lithuania.

## CHAPTER II
## STATE MANAGEMENT OF RADIATION PROTECTION

### Article 5. Policymaking and State management of radiation protection

1. State management of radiation protection shall be performed by the Government of the Republic of Lithuania, Ministry of Health of the Republic of Lithuania, Radiation Protection Centre and State Nuclear Power Safety Inspectorate.

2. The Government shall:

1) establish the principles of the State radiation protection policy;

2) establish the State Register of Sources of Ionising Radiation and Occupational Exposure and approve its statute;

3) perform other functions prescribed by this Law and other laws.

3. The Ministry of Health shall:

1) make the State radiation protection policy, as well as organise, coordinate and control its implementation, except for the implementation of this policy within carrying out practice with

sources of ionising radiation in the nuclear energy field;

2) establish mandatory standards and regulations for the radiation protection of humans, certain groups of individuals and the environment in planned, existing and emergency exposure situations;

3) perform other tasks prescribed by this Law and other legal acts regulating radiation and physical protection.

**Article 6. Radiation Protection Centre**

1. Radiation Protection Centre is the regulatory authority implementing regulatory control over the exposure of humans and the environment and practices except those with sources of ionising radiation within nuclear energy field, which shall perform following functions:

1) be involved in making and implementation of the State radiation protection policy, except for the implementation of this policy within carrying out practice with sources of ionising radiation in the nuclear energy field;

2) carry out monitoring of human exposure as a public health risk factor in planned, existing and emergency exposure situations;

3) within the scope of its competence, carry out the hazard and risk analysis of radiological accidents other than radiological accidents at nuclear facilities, necessary for the preparation or amendment of the National Plan for Protection of Population in Case of Nuclear or Radiological Accident;

4) perform other functions prescribed by this Law and other legal acts regulating radiation and physical protection.

2. The functions of the Radiation Protection Centre shall be separate from those of other institutions, bodies or organizations engaged in practices with sources of ionising radiation or in the development of such activities.

3. While performing the functions laid down in paragraph 1 of this Article, Radiation Protection Centre must ensure the protection of trade secret and/or other confidential information of a person who applied for registering a practice, issue a license or a temporary permit or other document as well as of undertaking. This is also true for other person holding a document issued by the Radiation Protection Centre. Persons concerned shall have the right to request the Radiation Protection Centre regarding the protection of their trade secret and/or other confidential

information but it shall not unduly complicate the implementation of the functions of Radiation Protection Centre.

4. Radiation Protection Centre, while performing the functions laid down in paragraph 1 of this Article, shall have the right to process personal data, including health data obtained from persons intending to carry out practices, from undertakings. This is also true for persons whose practice is not subject to authorisation but may affect exposure of human and the environment to ionising radiation, and/or is related with the likelihood to detect orphan source or radioactively contaminated objects. Personal data of persons engaged in radiation and physical protection training; of persons including dosimetry services intending to carry out or performing measurements of human exposure and/or dose rate and/or activity, and/or dose estimates necessary for the protection of public health, as well as from registries and state information systems may also be processed. The Radiation Protection Centre shall ensure that personal data, including health data, shall not be disclosed without the consent of the person, unless the disclosure of such data is provided by the legal acts of the Republic of Lithuania or the European Union regulating personal data protection.

**Article 7. State Nuclear Power Safety Inspectorate**

1. State Nuclear Power Safety Inspectorate is the regulatory authority carrying out regulatory control over practices with sources of ionizing radiation in the nuclear energy field and shall perform the following functions:

1) implements the State radiation protection policy with regard to the practices with sources of ionizing radiation in the nuclear energy field;

2) performs other functions prescribed by this Law and other legal acts regulating radiation and physical protection.

2. State Nuclear Power Safety Inspectorate, while performing the function of subparagraph 1 of paragraph 1 of this Article related to drafting the legislations laying down requirement for radiation protection of nuclear workers, as well as other persons operating in nuclear facilities and visitors must conform drafts of these legal acts with the Ministry of Health.

3. Functions of the State Nuclear Power Safety Inspectorate shall be separated from other institutions, bodies or organizations engaged in practices with sources of ionising radiation or in the development of such activities in the nuclear energy field.

4. The State Nuclear Power Safety Inspectorate, while performing the functions laid down in paragraph 1 of this Article, shall have the right to process personal data, including health data obtained from persons intending to carry out practices with sources of ionising radiation in nuclear energy field and from undertakings performing such practices. This is also true for persons engaged in radiation protection training, as well as dosimetry services within nuclear facilities, registries and state information systems. The State Nuclear Power Safety Inspectorate shall ensure that personal data, including health data, shall not be disclosed without the consent of the person, unless the disclosure of such data is provided by the legal acts of the Republic of Lithuania or the European Union regulating personal data protection.

**Article 8. Supervision**

1. Radiation Protection Centre and the State Nuclear Power Safety Inspectorate supervise how persons intending to carry out practices and acting undertakings follow the requirements of in this Law and other legislations regulating radiation and physical protection. This is also true for persons whose practice is not subject to authorisation but may affect exposure of human and the environment to ionising radiation, and (or) is related to the likelihood to detect orphan source or radioactively contaminated objects.

2. Radiation Protection Centre implements supervision in accordance with the supervision procedure established by the Minister of Health, and the State Nuclear Power Safety Inspectorate carries out supervision under the procedure established by itself.

3. Radiation Protection Centre and the State Nuclear Power Safety Inspectorate, within their competence, may carry out planned unannounced inspection of the practices of a person specified in paragraph 1 of this Article (without announcing planned inspection to the person within the deadline set for announcement of planned inspection specified in the Law on Public Administration) in following cases:

1) when impossible to announce the inspection to the person specified in paragraph 1 of this Article due to the temporality of the practice of this person in the Republic of Lithuania;

2) where the inspection is carried out in accordance with a timetable established by the person specified in paragraph 1 of this Article, if impossible to announce the inspection to the person specified in paragraph 1 of this Article according to the timetable;

3) when the planned inspection of the imported or exported goods is carried out and the

person specified in paragraph 1 as well as the place or time of his practice is not known in advance.

4. In addition to the provisions specified in the Law on Public Administration, Radiation Protection Centre and the State Nuclear Power Safety Inspectorate, within their competence, may carry out unplanned inspections in the following cases:

1) in case of a radiological incident or accident;

2) upon receipt of information that a radiological incident or accident may occur in while carrying out the practices;

(3) prior to the issue of the license or temporary permit, before the registration of the practice or before amending the operating conditions specified in the license or temporary permit.

5. Officials of the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall charge persons specified in paragraph 1 to eliminate the identified breaches of legal acts regulating radiation and/or physical protection (hereinafter – breaches). They also shall notify persons specified in paragraph 1 about possible suspension of work with a certain source of ionising radiation and/or shall suspend work with a certain source of ionising radiation and set reasonable deadline to eliminate the breaches, taking into account the measures necessary to eliminate the breaches, and radiation and/or physical protection requirements. If there is no hazard to human health or life or damage to the environment, the deadline may not exceed 2 months from the date of delivery of the compulsory enforcement order, unless otherwise provided by other laws. In such cases, other enforcements prescribed by this Law (deregistration of practice, suspension or withdrawal of the validity of a license or temporary permit) and other laws shall also be applied. The deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate may be extended by no more than two months from the date of receipt of the reasoned request of the person specified in paragraph 1 for extension of deadline to eliminate breaches. This is true if the person specified in paragraph 1 is not able to eliminate breaches before set deadline for objective reasons and submit a reasoned request to extend the deadline for elimination of breaches.

6. Compulsory enforcements shall be applied to a person specified in paragraph 1 of this Article if he was found to breached the requirements of legislation on radiation and (or) physical protection.

7. Official of the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, while inspecting found the person specified in paragraph 1 of this Article committed a breach, except minor infringement of legal acts, shall notify the person specified in paragraph 1

about possible suspension of work with a certain source of ionising radiation. The deadline to eliminate the breach shall be set. Work with a certain source of ionising radiation may be suspended without notification in the cases specified in subparagraphs 1, 2 and 3 of paragraph 9 of this Article.

8. Person specified in paragraph 1, after on time elimination the breach resulted in notifying him about possible suspension of work with a certain source of ionising radiation, shall submit to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate an explanation on how breach was eliminated together with copies of documents confirming the elimination of breach.

9. Official of the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall suspend work with a particular source of ionising radiation if he determines that the person specified in paragraph 1 of this Article:

1) committed breaches of radiation or physical protection requirements that have endangered human health or life, or have caused damage to the environment;

2) failed to timely and comprehensively inform Radiation Protection Centre or the State Nuclear Power Safety Inspectorate on occurred radiological incident or accident in accordance with the established procedure and did not take measures to eliminate their consequences and harmful effects on human health and the environment;

3) were engaged in unauthorized practices;

4) after being notified about possible suspension of work with certain source of ionising radiation did not eliminate breaches, except minor breaches of legal acts regulating radiation and/or physical protection, within the deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate.

10. Person specified in paragraph 1 of this Article, after timely elimination of the breach resulted in suspension of his work with a certain source of ionising radiation within the deadline set by the official of the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, shall submit to the appropriate regulatory authority a request to withdraw the suspension of work with a certain source of ionising radiation. Such request shall be provided before the set deadline and shall be attached with explanation on how the breach was eliminated the copies of documents confirming the elimination of the breach.

11. Official of the Radiation Protection Centre or the State Nuclear Power Safety

Inspectorate shall examine documents specified in paragraph 10 within 5 working days of receipt of them. Suspension of work with a particular source of ionising radiation shall be withdrawn if it was determined that breach resulted in suspension of work with a certain source of ionising radiation has been eliminated within the deadline set by official of the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate.

12. Officials of the Radiation Protection Centre and the State Nuclear Power Safety Inspectorate, upon presenting working certificate and an assignment to carry out inspection, shall have the following rights:

1) while supervising, within the inspection visit the places of practice of a person specified in paragraph 1 (access to the premises, territory and means of transport of a person specified in paragraph 1) with participation of the representative of the person specified paragraph 1;

2) review and obtain copies or records of documents and information kept on digital and other data carriers with regard to personal data, including health data, required to monitor the compliance of a person specified in paragraph 1 with the requirements of this Law and other legislations regulating radiation and physical protection;

3) to get oral and written explanations from the head of the person specified in paragraph 1 of this Article or his authorised persons, as well as to request such persons to come to the premises of the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate for providing an explanation;

4) to perform radiological investigations and to take samples for radiological investigations;

5) temporarily seize documents and digital or other data carriers containing information on personal data, including health data, and/or items that are necessary or have probative value in the investigation of the breach, providing a reasoned decision on the seizure of documents and (or) items together with description of the documents and (or) items seized;

(6) use technical means, including photographic, filming and audio recording equipment while inspecting or investigating the breach;

7) other rights provided by the legislations regulating the implementation of supervision.

13. Requirements provided by the officials of the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate during supervision shall be mandatory complied by the persons specified paragraph 1 of this Article.

## CHAPTER III
## JUSTIFICATION, NOTIFICATION, EXEMPTION AND CLEARANCE OF THE PRACTICE

### Article 9. Justification of a practice

1. Practices that is carried out shall be justified and specified in the list of types of justified practices drawn up and published on the website by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate.

2. Justification of practices, other than those involving sources of ionising radiation in nuclear energy field, including the manufacture, import and intended use of consumer products, shall be assessed at planning stage under the procedure established by the Minister of Health. This is true for practices that result in or are likely to cause human exposure, and are not specified in the drawn up and published on the website by the Radiation Protection Centre list of types of justified practices, other than those involving the sources of ionising radiation in nuclear energy field.

3. Justification of practices with sources of ionising radiation in nuclear energy field except the construction, operation, decommissioning of nuclear facilities and maintenance of a closed repository, shall be assessed at planning stage under the procedure established by the State Nuclear Power Safety Inspectorate. This is true for practices that are not in the list of types of justified practices with sources of ionising radiation in nuclear energy field, which is drawn up by the State Nuclear Power Safety Inspectorate and published on its website.

4. Following criteria shall be taken into account when assessing the justification of practices:

1) practice shall comply with the principle of justification specified in Paragraph 4 of Article 3 of this Law;

2) there are no practice-equivalent alternative methods and/or technologies that do not use sources of ionising radiation or use sources of ionising radiation safer in terms of radiation protection.

5. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall review the list of practices being recognized as justified in the light of new information on their

effectiveness or potential consequences as well as on available safer methods and technologies, and update the list taking into account practices, which after the review found to be unjustified.

6. Unauthorised practices, including the manufacture, import and intended use of consumer products, which result in or are likely to cause human exposure, shall be prohibited.

**Article 10. Notification about the practice**

1. Persons intending to carry out justified practice shall notify the Radiation Protection Centre of:

1) practices specified in Paragraph 1 of Article 12 of this Law, except practices with sources of ionising radiation in the field of nuclear energy;

2) the manufacture, import and intended use of a consumer product the use of which has not previously been approved by the Minister of Health as a justified practice;

3) workplaces where the average annual radon concentration exceeds the reference level set by the Minister for Health in spite of the steps taken to optimize radiation protection;

4) existing exposure situations which cannot be disregarded in terms of radiation protection and which are subject to the radiation protection requirements for practices established under this Law and other legal acts regulating radiation protection;

5) practices specified by the Minister of Health as related to the use or production of materials containing naturally-occurring radionuclides, which result in exposure of workers or public and thus cannot be disregarded in terms of radiation protection.

6) practices related to the use or production of materials containing materials containing naturally-occurring radionuclides, which may enter the water and consequently cause radioactive contamination of drinking water or unjustified public exposure due to food.

2. Persons intending to carry out justified practice with sources of ionising radiation in the nuclear energy field shall notify the State Nuclear Power Safety Inspectorate of that.

3. When application for registration of practice or for issue license or temporary permit is submitted separate notification is not required.

4. Notification on justified practise specified in paragraph 1 of this Article shall not be provided if:

1) practice is classified as exempted according to the criteria for exemption of practice and clearance of materials established in Paragraph 1 of Article 11 of this Law and to the exemption levels established by the Minister of Health. This provision shall not be applied if the practice involves several sources of ionising radiation which altogether does not meet the criteria for exemption of practice and clearance of materials and the exemption levels are exceeded;

2) practice involves radioactive materials that is produced during the authorised practice and which activity concentration does not exceed the clearance levels or which radioactive contamination is caused by the allowed radioactive discharges to the environment.

**Article 11. Exemption and clearance criteria**

1. General criteria for the exemption of practices from notification or authorisation or for the clearance of materials from authorised practices are as follows:

1) the practice causes no radiological risks to humans and thus do not require to be regulated;

2) the type of practice has been determined to be justified

3) the practice is inherently safe

2. Exemption and clearance criteria specified in paragraph 1 shall apply to the establishment of exemption and clearance levels.

3. The Minister for Health shall specify the exemption levels and procedure they shall be applied. Clearance levels shall be specified in accordance with the procedure established by the Law on Radioactive Waste Management.

## CHAPTER IV
## AUTHORISATION OF THE PRACTICE

**Article 12. Authorisation of the practice**

1. A person meeting the requirements specified in paragraph 5 of this Article may carry out practices in accordance the procedure on licensing of practices with sources of ionising radiation approved by the Government by registering practice included in the List of practices subject to registration specified in Annex 1 to this Law, or by getting licence or temporary permit to carry out practice in accordance with the types of licenses or temporary permits specified in

paragraph 3 of this Article. This is not true for practices specified in paragraph 2 of this Article and practice not included into the List of practices subject to registration specified in Annex 1 to this Law.

2. No registration, license or temporary permit shall be required:

1) to perform practices classified as exempted in accordance with the procedure established by the Minister of Health;

2) to transport and store generators of ionising radiation that do not contain radioactive materials;

3) to transport radioactive materials in exempted packages specified in the international agreements of the Republic of Lithuania regulating the transport of dangerous goods;

4) to work with electron microscopes.

3. The types of licenses or temporary permits shall be as follows:

1) a license or temporary permit for the production, use (including re-use), storage, reprocessing of ionising radiation sources and (or) radioactive waste management (pre-treatment, treatment, conditioning and storage of radioactive wastes);

2) a license or temporary permit to trade, install, maintain and repair sources of ionising radiation;

3) a license or temporary permit to transport radioactive materials and (or) radioactive waste;

4) a license or temporary permit to carry out activities in the environment of ionizing radiation in a nuclear facility;

5) a license or temporary permit to carry out practice under ionising radiation environment within another licensee.

4. License to carry out practice with radioactive source containing nuclear and fissile materials, which are specified together with their quantities in Annex 1 to the Law on Nuclear Safety, shall be issued in accordance with the Law on Nuclear Safety. Separate license or temporary permit for these practices prescribed in subparaggraph1 of paragraph 3 of this Article are not issued.

5. Person intending to carry out the practices specified in paragraph 1 shall meet the following requirements:

1) to have practice-relevant equipped workplaces and/or premises that comply with the

requirements of legislations on radiation and/or physical protection;

2) to have radiation and/or physical protection measures legal, organizational and technical) that comply with the requirements of legislation on radiation and/or physical protection;

3) have personnel with professional competence complying with the requirements established by laws and other legislations laying down requirements for the personnel professional competences and who are trained on radiation and /or physical protection in accordance with the procedure established in Article 26 of this Law.

**Article 13. Registration of the practice**

1. Person meeting the requirements of paragraph 5 of Article 12 of this Law, intending to carry out practices included in the List of practices subject to registration provided in Annex 1 to this Law, shall submit to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate documents necessary for the registration of practice. Required documents are specified in the Rules for authorisation of practice with sources of ionising radiation approved by the Government.

2. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall, within 30 calendar days of receipt of all complete and correctly executed documents necessary for the registration of the practice, register the practice or reasonably refuse to register the practice within this period informing an applicant in writing. Practices are registered for an indefinite period.

3. If a person submits not all, incomplete or inadequately completed documents necessary for the registration of practice, the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, not later than within 5 working days from the receipt of the documents, shall inform in writing an applicant on the receipt of incomplete or inadequately completed documents necessary for the registration of practice, and shall set a deadline of at least 30 calendar days from the date of notification delivery to eliminate flaws.

4. When deciding on the registration of practices, the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall follow the List of practice subject to registration provided in Annex 1 to this Law. The Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall have the right within the supervision to perform inspection prior registration to assess whether a person is prepared to perform the practice within the List of practice subject to registration provided in Annex 1 to this Law. When registering a practice, the data and

information on the practice subject to registration set out in the in the Rules for authorisation of practice with sources of ionising radiation approved by the Government shall be registered.

5. Registration shall be refused if:

1) person does not meet the requirements specified in Paragraph 5 of Article 12 of this Law;

2) not all, incomplete or inadequately completed documents necessary for the registration of practice prescribed in the Rules for authorisation of practice with sources of ionising radiation approved by the Government have been submitted and these flaws have not been eliminated within the deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate;

3) pre–registration inspection when supervising revealed that the person preparedness to perform the practices specified in the List practices subject to registration provided in Annex 1 of this Law does not comply with the requirements specified in Paragraph 4 of Article 17 of this Law.

6. Failure to register a practice or to provide a reasoned refusal to register a practice within the deadline laid down in paragraph 2 of this Article shall not be considered as registration of the practice.

**Article 14. Issue of a license or temporary permit**

1. Person meeting the requirements set out in paragraph 5 of Article 12 of this Law and intending to obtain a license or temporary permit of any type specified in paragraph 3 Article 12 of this Law, shall submit to the Radiation Protection Centre or State Nuclear Power Safety Inspectorate documents necessary to obtain a license or temporary permit as specified in the Rules for authorisation of practice with sources of ionising radiation approved by the Government. The information relevant to radiation and physical protection contained in these documents shall commensurate with the nature of the intended practice and the risks involved.

2. The Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall issue a license or a temporary permit within 30 calendar days of the receipt of all complete and correctly executed documents required for the issue of a license or temporary permit or reasonably refuse to issue a license or temporary permit within this period informing an applicant in writing. When implementing supervision the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall have the right, prior to issue a license or a temporary permit, to perform an inspection to assess whether a person is prepared to carry out the practices specified in Paragraph 3 of Article 12 of this Law. The license shall be issued for unlimited period of validity.

Radiation Protection Centre or the State Nuclear Power Safety Inspectorate determines the period of validity of the temporary permit and assesses the temporality of the intended practice taking into account the peculiarities, duration, regularity, frequency and continuity of such practice.

3. If a person submits not all, incomplete or inadequately completed documents required for the issue a license or temporary permit, the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, not later than within 5 working days from the receipt of the documents, shall inform in writing an applicant on the receipt of not all, incomplete or inadequately completed documents required for the issue a license or temporary permit, and shall set a deadline of at least 30 calendar days from the date of notification delivery to eliminate flaws.

5. Issue of a license or temporary permit shall be refused if:

1) person does not meet the requirements specified in Paragraph 5 of Article 12 of this Law;

2) not all, incomplete or inadequately completed documents required for the issue a license or temporary permit as prescribed in the Rules for authorisation of practice with sources of ionising radiation approved by the Government have been submitted and these flaws have not been eliminated within the deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate;

3) pre–authorisation inspection done when supervising revealed that the person preparedness to perform the practices specified in the paragraph 3 of Article 12 of this Law does not comply with the requirements specified in Paragraph 3 of Article 17 of this Law.

5. Failure to issue a license or temporary permit or to provide a reasoned refusal to issue a license or temporary permit within the deadline laid down in paragraph 2 of this Article shall not be considered as registration of the practice.

**Article 15. Withdrawal of registration of the practice**

1. If a person carrying out a practice subject to registration fails to comply with the enforcements of the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, appropriate authority shall notify the person carrying out the practice subject to registration of the possible withdrawal of the registration of the practice. The deadline at least of 5 working days from the date of delivery of the notification on possible withdrawal of the registration of the practice to eliminated breach shall to be set.

2. Person engaged in the practice subject to registration, after on–time elimination of breaches resulted in notification about the possible withdrawal of the registration of the practice, shall explain the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate how braches have been eliminated providing documents confirming elimination of breaches within the deadline set out for breach elimination. The deadline for breach elimination set out by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate may be extended for a period of at least 5 working days from the receipt of documents specified in this paragraph, if person performing the practice subject to registration is reasonable not able to eliminate breaches on set time and submits a reasoned request to extend the deadline for elimination of breaches.

3. Registration of a practice shall be withdrawn if:

1) person engaged in the practice subject to registration has decided to terminate the practice and has submitted a request to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate to withdraw the registration of the practice;

2) person engaged in the practice subject to registration and who was notified regarding possible withdrawal of the registration of practice due to breaches, except minor breaches of legislations regulating radiation and/or physical protection, as prescribed in the Rules for authorisation of practice with sources of ionising radiation approved by the Government, failed to eliminate these breaches within the deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate;

3) legal person, other organisation or their branch carrying out practice subject to registration was liquidated or reorganised through the amalgamation (merging of the legal person, other organization or their branch carrying out practice subject to registration with another legal person, other organization or their branch) through the merge, the spin-off and split-off; natural person engaged in practice subject to registration has died.

4. The withdrawal of the registration of practice shall not affect the responsibility of the person who carried out the practice subject to registration to ensure radiation and physical protection.

5. After withdrawal of the registration of practice within the case specified in paragraph 2 of this Article, the person may apply for registration of the same practice not earlier than 6 months after the date of withdrawal of the registration of a practice.

**Article 16. Suspension, withdrawal of the suspension, withdrawal of the validity of license or temporary permit**

1. If the licensee or a temporary permit holder fails to comply with the enforcements, provided by Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, on the eliminations of breaches, corresponding authority shall notify the licensee or a temporary permit holder on possible suspension of the validity of license or temporary permit. It shall also set the deadline to eliminate breaches of at least 5 working days from the date of delivery of the notification about possible suspension of the validity of a license or temporary permit. The license or temporary permit may be suspended without notification in the cases specified in subparagraphs 1 and 2 of Paragraph 3 of this Article.

2. Licensee or a temporary permit holder, after on–time elimination of breaches resulted in notification about the possible suspension of the validity of a license or temporary permit, shall explain the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate how braches have been eliminated. An explanation provided by a person shall be attached with documents confirming elimination of breaches within the deadline set out for breach elimination. The deadline for elimination of breach set out by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate may be extended for a period of at least 5 working days from the date of receipt of the documents specified in this paragraph, if licensee or temporary permit holder is reasonable unable to eliminate breaches on set time and submits a reasoned request to extend the deadline for elimination of breaches.

3. Validity of a license or temporary permit shall be suspended if:

1) while preforming practice, breaches of radiation or physical protection requirements that have endangered human health or life, or have caused damage to the environment, have been committed;

2) licensee or temporary permit holder failed to timely and comprehensively inform the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate on occurred radiological incident or accident in accordance with the established procedure and did not take measures to eliminate their consequences and harmful effects on human health and the environment;

3) licensee or temporary permit holder, after being notified on possible suspension of the validity of a license or temporary permit, as prescribed it is in Rules for authorisation of practice

with sources of ionising radiation approved by the Government, did not eliminate breaches, except minor breaches of legal acts regulating radiation and/or physical protection, within the deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate.

4) licensee or temporary permit holder has applied for suspension of the validity of a license or temporary permit, defining requested period of the suspension of the validity of a license or temporary permit (suspension period could not exceed 6 months from the date of suspension of the validity of a license or temporary permit). If the licensee or temporary permit holder has submitted a reasoned request to extend the suspension of the validity of a license or temporary permit for defined period (extension of suspension period could not exceed 6 months from the date of extension of suspension of the validity of a license or temporary permit), the Radiation Protection Centre or the State Nuclear Power Plant the Safety Inspectorate shall take a decision on the extension of the suspension of the validity a license or the temporary permit within 5 working days and shall inform the licensee and temporary permit holder of that.

4. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, after deciding to suspend the validity of a license or temporary permit in the cases specified in subparagraphs 1, 2 and 3 of paragraph 3 of this Article, enforces the licensee or temporary permit holder to eliminate the breaches within the deadline of not less than 5 working days but not exceeding 6 months from the date of delivery of the decision on the suspension of the validity of a license or temporary permit. The deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate for elimination of breaches may be extended by up to one month from the date of receipt of the documents specified in this paragraph, if licensee or temporary permit holder is reasonable unable to eliminate breaches on set time and submits a reasoned request to extend the deadline for elimination of breaches.

5. The suspension of the validity of a license or temporary permit shall be withdrawn if licensee or temporary permit holder submits to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate following documents:

1) a request to withdraw the suspension of the validity of a license or temporary permit;

2) an explanation on how the breaches resulted in the suspension of the validity of a license or temporary permit have been eliminated, and the documents confirming elimination of breaches (except to the case specified in subparagraph 4 of paragraph 3 of this Article).

6. Validity of a license or temporary permit shall be withdrawn if:

1) licensee or temporary permit holder has decided to terminate the practice and has submitted a request to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate to withdraw the validity of a license or temporary permit;

2) licensee or temporary permit holder failed to eliminate the breaches led to suspension of the validity of a license or temporary permit with regard to cases specified in subparagraphs 1, 2 and 3 of paragraph 3 within the deadline set by Radiation Protection Centre or State Nuclear Power Safety Inspectorate of not less than 5 working days and not exceeding 6 months from delivery of the decision on suspension of the validity of a license or temporary permit;

3) licensee or temporary permit holder continued to operate despite the suspension of the validity of his license or temporary permit;

4) licensee or temporary permit holder has not applied for the withdrawal or extension of the suspension of the validity of a license or temporary permit prior the expiration date for the suspension of the validity of a license or temporary permit;

5) legal person, other organisation or their branch holding licensee or temporary permit was liquidated or reorganised through the amalgamation (merging of the legal person, other organization or their branch carrying out practice subject to registration with another legal person, other organization or their branch) through the merge, the spin-off and split-off; natural person engaged in practice subject to registration has died.by distribution or division, the natural person holding licensee or temporary permit has died.

7. The suspension or withdrawal of the validity of a license or temporary permit shall not affect the responsibility of the licensee or temporary permit holder to ensure radiation and physical protection.

8. After withdrawal of the of the validity of a license or temporary permit in cases specified in subparagraph 2, 3 and 4 of paragraph 6 of this Article, the person may apply for the same type of license or temporary permit not earlier than 6 months after the date of withdrawal of the validity of a license or temporary permit.

## CHAPTER V
## RESPONSIBILITIES OF THE UNDERTAKINGS, WORKERS, APPRENTICES AND STUDENTS

**Article 17. Responsibilities of the undertakings**

1. The undertaking shall be responsible for the proper and safe performance of practice in accordance with the requirements stipulated in this Law, the Law on Nuclear Energy, the Law on Nuclear Safety, the Law on Radioactive Waste Management and other legal acts regulating radiation and physical protection.

2. Undertaking shall afford the outside worker equivalent and activity – relevant radiation protection measures to that for workers employed on a permanent basis by the undertaking. Undertaking is responsible, either directly or through contractual agreements with the employer of outside workers, for the operational aspects of the radiation protection of outside workers that are directly related to the nature of their activities in the undertaking.

3. Responsibilities of holder of license or temporary permit for the practices specified in paragraph 1 of Article 12 of this Law are as follows:

1) compiling and update a list of sources of ionising radiation and to ensure appropriate technical condition and safe use of sources of ionising radiation;

2) appointing radiation protection officer or to establish radiation protection services;

3) appointing persons responsible for the physical protection of radioactive sources falling into risk categories I, II, III and IV;

4) implementing occupational exposure monitoring and radiological surveillance of the workplaces;

5) assessing arrangements of radiation protection of practices carried out, except for practices with sources of ionising radiation in the nuclear energy field;

6) drafting, implementing and updating quality assurance programs, with the exception of practices with sources of ionising radiation in the nuclear energy field, which require the license or temporary permit specified in subparagraph 4 of paragraph 3 of Article of this Law;

7) prompt notification of the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate on the disappearance, theft, loss or damage, unauthorized use or possession of the source of ionising radiation;

8) preparedness for the response to, registration and analysis of radiological incidents and accident, primary assessment of the circumstances and consequences of radiological incidents and accidents, taking urgent actions to mitigate the consequences of harmful effects on human health, environment and property, prompt notification of Radiation Protection Centre and the Nuclear

Power Safety Inspectorate on radiological incidents or accident;

9) not to transfer the right to carry out practice granted by the license or temporary permit to another person, nor to authorize them to carry out on their own behalf the practices specified in the license or temporary permit;

10) return to the supplier or, if it is not possible, transfer to the radioactive waste manager for disposal as radioactive waste each disused radioactive source as well as those found to be inappropriate for further practice. It shall be done taking in to account their technical status and nature of practice where they are used, and required by Radiation Protection Centre or the State Nuclear Power Safety Inspectorate to be returned to the supplier or, if it is not possible, transfer to the radioactive waste manager for disposal as radioactive waste.

11) selling or transfer sources of ionising radiation to another person only after verifying that the person to whom the sources of ionising radiation are sold or transferred is engaged in authorised practice specified in Paragraph 1 of Article 12 of this Law;

12) assurance that natural persons specified in Paragraph 1 or 2 of Article 25 of this Law have been checked on fit for work or for unescorted access to the protected area of nuclear facilities and (or) on the site of a nuclear facility;

13) performance of other responsibilities prescribed by this Law.

4. Responsibilities of person engaged in the practice subject to registration are as follows:

1) not authorising on their own behalf other persons to perform the practice subject to registration;

2) responsibilities specified in subparagraphs 1, 2, 7, 8, 10, 11 and 13 of paragraph 3 of this Article and also in subparagraphs 3, 4 and 6 of paragraph 3 of this Article unless otherwise is stipulated in other legal acts regulating radiation and physical protection.

5. Undertaking notified on justified practice as prescribed in paragraph 1 of Article 10 of this Law, that is not subject to registration or issue of a license or temporary permit shall submit to the Radiation Protection Centre information on the manufacture, import to, export from and sell within the Republic of Lithuania.

6. If the validity of a license or temporary permit or the registration of a practice is withdrawn, such person shall immediately transfer radioactive sources managed upon right of ownership, except generators of ionising radiation free from radioactive materials, to the radioactive waste manager for temporary storage. The person must follow the procedure and

conditions specified in Law on Radioactive waste management when transferring these radioactive sources and inform Radiation Protection Centre. After radioactive sources, except generators of ionising radiation free from radioactive materials, managed upon right of ownership were transferred to the radioactive waste manager for storage, further transfer of management of these radioactive sources is eligible. This can be done through transfer management of them upon ownership right, as defined by Civil Code of the Republic of Lithuania, to persons holding a license or temporary permit or whose practice are registered.

**Article 18. Responsibilities of workers, apprentices and students**

Responsibilities of workers, apprentices and students are as follows:

1) to follow the radiation and physical protection requirements specified by the undertaking, to use radiation and physical protection measures;

2) promptly inform the undertaking of any circumstances that may have an impact on radiation and physical protection.

2. Breastfeeding workers, apprentices and students likely to be exposed to internal or external radioactive contamination during their work must promptly notify the undertaking of the breastfeeding.

3. Pregnant workers, apprentices and students shall promptly inform the undertaking of their pregnancy.

## CHAPTER VI

## MEDICAL SURVEILLANCE OF WORKERS AND EMERGENCY WORKERS, LIMITATIONS FOR WORKERS, APPRENTICES AND STUDENTS, PREGNANT AND BREASTFEEDING WORKERS, APPRENTICES AND STUDENTS

**Article 19. Medical surveillance of workers and emergency workers**

1. Workers and emergency workers may be employed and engaged in such work only after medical surveillance ascertain their fitness for the tasks assigned to them, as it is prescribed by the Government.

2. In addition to the general enforcements on medical surveillance prescribed by the Law on Occupational Safety and Health of the Republic of Lithuania, undertaking shall send a worker or an emergency worker for health check, when determines or suspects that occupational exposure

exceeds the dose limits set by the Minister of health. Time of additional worker health check shall differ from that established in schedule of his routine medical surveillance. Undertaking may allow worker or emergency worker to work or to eliminate consequences of an emergency, only after physician implementing medical surveillance assess state of health of worker or emergency worker as well as nature of work, and provides conclusions on fitness of them to work or to eliminate consequences of an emergency.

3. Workers shall not be permitted to work and emergency workers are prohibited to eliminate consequences of an emergency if health issue found in workers make the unavailable to work or to eliminate consequences of an emergency.

**Article 20. Limitations for workers, apprentices and students, pregnant and breastfeeding workers, apprentices and students**

1. Work involving exposure may be carried out by natural persons under 18 years old.

2. Dose limits for apprentices and students aged 18 years or over who, in the course of their studies, are obliged to work under exposure, shall be the same as the dose limits for occupational exposure established by the Minister for Health.

3. Apprentices and students aged between 16 and 18 years may carry out work involving exposure only for the professional training purposes and under the supervision of staff or trainer appointed by the undertaking, and shall not exceed dose limits established by the minister of Health for apprentices and students aged between 16 and 18 years.

4. Undertaking after being notified on pregnancy of worker apprentices and students shall ensure them such safe and healthy employment conditions that the equivalent dose to a foetus is as low as reasonably achievable and unlikely to exceed 1 mSv during at least the remainder of the pregnancy.

5. Undertaking after being notified about breastfeeding worker apprentices and students shall ensure them such safe and healthy employment conditions that do not give rise to any risk of internal exposure or external radioactive contamination.

## CHAPTER VII
## MEDICAL EXPOSURE AND NON-MEDICAL IMAGING EXPOSURE

**Article 21. Medical exposure**

1. New types of practices involving medical exposure which have not been carried out beforehand in the Republic of Lithuania, shall be justified in accordance with the procedure laid down in Article 9 of this Law in advance before being generally adopted.

2. Following the procedures laid down in the legislation on radiation protection, undertaking, when carrying out practices involving medical exposure, must ensure that:

1) measures are taken to ensure that the equipment, materials and aids used comply with the requirements of the legislation on radiation protection;

2) staff have the necessary professional qualifications and training in radiation protection;

3) quality assurance programs are developed and implemented;

4) diagnostic reference levels approved by the Minister of Health that apply for medical radiodiagnostic or interventional radiology procedures are followed;

5) clinical audits in medical radiology are carried out in accordance with the procedure established by the Minister of Health;

6) patient exposure is recorded;

7) medical physics experts recognized in accordance with the procedure established by the Minister of Health are involved upon their competence.

3. Clinical responsibility for medical exposure lies with the practitioner.

4. Referrer, when prescribing radiodiagnostic procedures, shall follow the guidelines approved by the Minister of Health on the prescribing of radiodiagnostic procedures based on doses due to such procedures.

5. The patient, carers and comforters must be informed before the patient undergoes medical radiology procedures about the benefits and potential health risks to the patient, carers and comforters of ionising radiation. The patient or his/her representative shall have the right to refuse medical radiology procedures, except cases when such refusal is not possible by law.

6. Biomedical research involving medical exposure shall be subject to prior authorisation by the Lithuanian Bioethics Committee in agreement with the Radiation Protection Centre. A person involved in such research shall to consent to be investigated as well as shall be informed in advance on the objective of such research and the potential health risks due to ionising radiation.

7. Selective medical examinations involving medical exposure of persons classified as at risk of certain diseases, shall be justified as prescribed in Article 9 of this Law and shall be carried

out in accordance with the procedure established by the Minister of Health.

**Article 22. Non-medical imaging exposure**

1. The type of practice involving non-medical imaging exposure shall be justified as it is laid down in Article 9 of this Law.

2. Before undergoing procedures involving non-medical imaging exposure the individual shall be informed and provide his written consent. A person has the right to refuse such procedures, except cases when such refusal is impossible by the law.

3. Scanners equipped with sources of ionising radiation that are intended to detect items hidden in or on the human body and may cause non-medical imaging exposure may be used in the Republic of Lithuania only if the Government adopts the use of such equipment.

## CHAPTER VIII
## ORPHAN RADIOACTIVE SOURCES AND RADIOACTIVELY CONTAMINATED OBJECTS

**Article 23. Orphan radioactive sources and radioactively contaminated objects**

1. The detection of orphan radioactive sources and radioactively contaminated objects using equipment for the detection of orphan radioactive sources and radioactively contaminated objects shall be carried out at the:

1) metal scrap yards, sorting and recycling facilities;

2) municipal waste sorting and incineration facilities and regional municipal waste dumps;

3) border checkpoints;

4) points of customs control, clearance and supervision of goods;

5) postal logistics Centres;

6) international seaports and airports.

2. State and municipal institutions and bodies as well as other legal and natural persons who have found, identified or detained orphan radioactive sources or radioactively contaminated objects, after it suspect of having detected or melted an orphan radioactive source or radioactively contaminated object shall notify competent authority in accordance with the procedure established by the Government for the management of orphan radioactive sources, orphan materials of nuclear

fuel cycle, orphan nuclear and fissile materials and radioactively contaminated objects.

3. Metal and its products contaminated with radioactive materials exceeding clearance levels may not be used, placed on the market or disposed of without the permission of the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate.

## CHAPTER IX
## PHYSICAL PROTECTION

### Article 24. Basics of Physical Security

1. In order to ensure that physical protection measures are commensurate with the threats posed by radioactive sources, threats to radioactive sources shall be analysed in accordance with the procedure established by the Government.

2. Practices with radioactive sources, except practices with sources of ionising radiation in nuclear energy field, shall be carried out in compliance with the requirements established by the Minister of Health. Practices with sources of ionising radiation in nuclear energy field shall be carried out in accordance with the physical protection requirements established by the State Nuclear Power Safety Inspectorate based on the results of threat analysis and the risk categories of radioactive sources. The minister of health determines risk categories of radioactive sources taking into account the possible effects of radioactive sources on people and the environment due to ionising radiation.

### Article 25. Fitness for work

1. Natural persons, before being appointed as persons responsible for the radiation and/or physical protection of radioactive sources of risk categories I, II, III or before being recruited for work with such sources, except for practices with sources of ionising radiation in the nuclear energy field, thereafter every 5 years shall be checked for fitness for the tasks assigned to them.

2. Natural persons, prior being appointed as persons responsible for the radiation and/or physical protection of radioactive sources of risk categories I, II, III or before being recruited to work with such sources in the nuclear energy field, shall be checked in accordance with the procedure on unescorted access to the protected area of nuclear facilities and/or on the site of a nuclear facility established by the Law on Nuclear Energy.

3. Upon the request of the of licensee or temporary permit holder the Radiation Protection Centre shall organizes check of natural persons specified in paragraph 1 of this Article. It shall verify personal data from State Security Department of the Republic of Lithuania, health care institutions, the Register of Suspects, Accused and Convicts and the Registers on incapacitated persons regarding the presence of history of persistent or serious convictions for serious and grave crimes or crimes against property, property rights and property interests, public security in connection with the possession of firearms, ammunition, explosives, explosive or radioactive material or military equipment as well as if they subject to preventive measures in accordance with the Law of the Republic of Lithuania on organized crime prevention. Other aspects of natural persons such as certain illnesses disabling them to carry out such work, registration in health care institution due to the alcoholism and drug addiction, medical supervision due to the mental illness or disorder, entry in the Register of Suspects, Accused and Convicts as well as other circumstances due to which the Police Department under the Ministry of Interior or the Department of State Security estimates that natural persons unfit to the assigned tasks shall also be considered.

4. The appointment (recruitment) of natural persons to the positions (work) specified in paragraph 1 or 2 of this Article shall be prohibited if during the examination they have been found unfit for work.

## CHAPTER X.
## TRAINING AND INSTRUCTION IN RADIATION AND PHYSICAL PROTECTION

### Article 26. Training and instruction in radiation and physical protection

1. Radiation protection must be taught for:

1) radiation protection officers and physical protection officers;

2) workers except those involved in practices with sources of ionising radiation in the nuclear energy field;

3) workers involved in practices with sources of ionising radiation in the nuclear energy field;

4) civil servants and contract employees of state and municipal institutions and bodies who are engaged in emergency management;

5) emergency workers appointed by the undertaking, other than those specified in

subparagraphs 1, 2 and 3;

6) officials and employees of the civil protection system (fire and rescue forces, police, ambulance) serving as first responders in emergency case, as well as officers, employees, companies, bodies, organizations managers or their authorised persons and other persons likely to detect orphan radioactive sources and radioactively contaminated objects when working.

2. Physical protection shall be taught for the workers handling radioactive sources of risk categories I, II and III and to physical protection officer, except workers and physical protection officer within undertaking engaged in practices with sources of ionising radiation in nuclear energy field.

3. Employers shall arrange training in radiation protection for the persons specified in subparagraphs 1, 2, 3, 5 and 6 of paragraph 1 as well as in paragraph 2 of this Article at their own expense. Training in radiation protection of persons referred to in subparagraphs 1 (with the exception of persons employed within undertakings engaged in practices with sources of ionising radiation in nuclear energy field), 2, 5 and 6 of paragraph 1 of this Article shall be provided in accordance with the procedure established by the Minister of Health. This is also true for training of persons specified in paragraph 2 of this Article in physical protection. Persons referred to in subparagraph 1 of paragraph 1 of this Article employed within undertaking engaged in practices with sources of ionising radiation in nuclear energy field as well as persons specified in subparagraph 3 of paragraph 1 of this Article shall be trained in radiation protection according to the procedure established by the State nuclear energy inspectorate. Persons referred to in subparagraph 4 of paragraph 1 of this Article shall be trained in radiation protection in accordance with the procedure established by the Government.

4. Employers shall ensure that the persons referred to in subparagraphs 1 (with the exception of persons employed within undertakings engaged in practices with sources of ionising radiation in nuclear energy field), 2, 3, 5 and 6 of paragraph 1 of this Article were provided with instruction on radiation protection. Instructing on physical protection shall be also ensured by employer in accordance with the procedure established by the Minister of Health for workers dealing with radioactive sources of risk categories I, II, III and IV and physical protection officers except those that are employed within undertakings engaged in practices with sources of ionising radiation in nuclear energy field. Employers must ensure that the persons referred to in subparagraph 1 of paragraph of this Article who are employed within undertaking engaged in

practices with sources of ionising radiation in nuclear energy field and persons referred to in subparagraph 3 of paragraph 1 of this Article are instructed on radiation and physical protection as it is prescribed by the State Nuclear Power Safety inspectorate.

5. Employers shall be prohibited from appointing for work persons referred to in subparagraphs 1, 2, 3, 5 and 6 of paragraph 1 of this Article who have not been trained and instructed in radiation protection. Employers shall also be prohibited from assigning work to persons referred to in paragraph 2 who have not undergone training and instruction in physical protection.

6. Persons engaged in training in radiation and / or physical protection must ensure that:

1) persons referred to in subparagraph 1, 2, 3, 5 and 6 of paragraph 1 of this Article are trained in radiation protection only by natural persons holding valid certificate of being authorised to train in radiation protection (hereinafter – certificate of attestation in radiation protection). This is also true for holding a document of competent authority of a Member State entitling them to train persons referred to in points 1, 2, 3, 5 and 6 of paragraph 1 of this Article in radiation protection;

2) persons referred to in paragraph 2 are trained in physical protection only by a natural person holding a valid attestation certificate of being authorised to train in physical protection (hereinafter – certificate of attestation in physical protection) or holding a document of competent authority of a Member State which entitling them to train persons referred to paragraph 2 of this Article in physical protection in accordance with valid training programs on physical protection.

7. Radiation Protection Centre shall supervise the compliance with requirements on training and instruction in radiation and physical protection of persons referred to in subparagraphs 1 (with the exception of persons employed within undertakings engaged in practices with sources of ionising radiation in nuclear energy field), 2, 3, 5 and 6 of paragraph 1 as well as in paragraph 2 of this Article. The State Nuclear Power Safety inspectorate shall supervise compliance with the requirements on training and instruction in radiation protection as well as instruction in physical protection of persons referred to in subparagraph 1 of paragraph 1 of this Article, recruited within undertaking engaged in practices with sources of ionising radiation in nuclear energy field, and persons specified in subparagraph 3 of paragraph 1 of this Article.

8. Radiation Protection Centre or the State Nuclear Power Safety inspectorate, while supervising persons engaged in training in radiation and (or) physical protection, shall enforce

such persons to eliminate the identified breaches of the legal acts regulating training in radiation and / or physical protection.

9. Development and implementation of training programs for natural persons dealing with radiation protection due to their profession, as well as other measures (training methodologies, training material, and recognition of qualifications of lecturers) intended for implementation of training in radiation protection, shall be arranged and coordinated by the ministry of education and science of the Republic of Lithuania. The Ministry of education and science, while developing descriptors for study fields of medicine, dentistry and medical technology shall consult with the Ministry of Health on introduction of radiation protection course into it.

## CHAPTER XI
## ATTESTATION AND RECOGNITION OF PERSONS

**Article 27. Attestation of natural persons seeking the authorisation for teaching radiation and/or physical protection.**

1. A natural person may teach radiation protection to persons referred to in subparagraph 1 of paragraph 1 (except persons engaged in practices with sources of ionising radiation in nuclear energy field) 2, 5 and 6 of Article 26 of this Law only if holds a certificate of attestation in radiation protection issued by the Radiation Protection Centre in accordance with the procedure established by the Minister of Health. A natural person may teach physical protection to persons specified in Paragraph 2 of Article 26 of this Law only if holds a certificate of attestation in physical protection issued by Radiation Protection Centre in accordance with the procedure established by the Minister of Health. A natural person may teach radiation protection to persons referred to in subparagraph 1 of paragraph 1 of Article 26 of this Law who are employed within undertaking engaged in practices with sources of ionising radiation in nuclear energy field as well as persons specified in subparagraph 3 of paragraph 1 of Article 26 of this Law only if holds a certificate of attestation in radiation protection issued by State Nuclear Power Safety inspectorate in accordance with the procedure established by this regulatory authority. These requirements do not apply to a citizen of the Republic of Lithuania or other Member State or another natural person exercising the right of movement in the Member States under European Union legislation who holds a document issued by a competent authority of another Member State confirming eligibility to teach radiation

protection to persons specified in subparagraphs 1, 2, 3, 5 and 6 of paragraph 1 of Article 26 and /or to teach physical protection to persons referred to in paragraph 2 of Article 26 of this Law.

2. A natural person seeking the authorisation for teaching radiation protection to persons specified in subparagraphs 1, 2, 3, 5 and 6 of paragraph 1 of Article 26 of this Law (except citizen of the Republic of Lithuania or other Member State or another natural person exercising the right of movement in the Member States under European Union legislation who holds a document issued by a competent authority of another Member State confirming eligibility to teach radiation protection to persons specified in subparagraphs 1, 2, 3, 5 and 6 of paragraph 1 of Article 26) shall comply with following requirements;

1) have a university or equivalent degree in any study fields that belongs to the physical, engineering, life, veterinary, law sciences study area as well as in study fields belonging to the health science such as medicine, public health, dentistry or medical technology;

2) have at least 5 years of work experience in the field of radiation protection when a natural person seeks the authorisation for teaching radiation to persons referred to in subparagraph 1 of paragraph 1 of Article 26 of this Law who are employed within undertaking engaged in practices with sources of ionising radiation in nuclear energy field as well as persons specified in subparagraph 3 of paragraph 1 of Article 26 of this Law.

3. A natural person seeking the authorisation for teaching physical protection to persons specified in paragraph 2 of Article 26 of this Law (except citizen of the Republic of Lithuania or other Member State or another natural person exercising the right of movement in the Member States under European Union legislation who holds a document issued by a competent authority of another Member State confirming eligibility to teach radiation protection to persons specified in paragraph 2 of Article 26) shall have a university degree in any study fields that belongs to the physical, engineering or law sciences study area.

4. A natural person seeking the authorisation for teaching radiation protection to persons specified in subparagraphs 1, 2, 3, 5 and 6 of paragraph 1 of Article 26 of this Law shall submit to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate a request for attestation in the form prescribed by the Minister of Health or the State Nuclear Power Safety Inspectorate and provide documents confirming their compliance with the requirements set out in paragraphs 2 or 3 of this Article. This is also true for natural person seeking the authorisation for teaching physical protection to persons specified in paragraph 2 of Article 26 of this Law.

5. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate must, within 30 calendar days from the receipt of all and duly completed documents necessary for attestation, carry out an exam of a natural person seeking the authorisation for teaching radiation protection to persons specified in subparagraphs 1, 2, 3, 5 and 6 of paragraph 1 of Article 26 of this Law. This is also true for natural person seeking the authorisation for teaching physical protection to persons specified in paragraph 2 of Article 26 of this Law. Within this time period, the natural person applied for attestation shall be issued or reasonably refused to be issued with a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection and shall be informed of that in writing. If the natural person has submitted the inadequately completed documents required for attestation, the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall notify this natural person in writing no later than within 5 working days from the receipt of the documents required for attestation and shall set a deadline of at least 30 calendar days from the date of notification delivery to eliminate flaws. The procedure of an arrangement of an exam in accordance with topics specified in the list of topics for training in radiation and physical protection approved by the Minister of Health shall be established the Minister of health. The procedure of an arrangement of an exam in accordance with topics specified in the list of topics for training in radiation protection approved by the State Nuclear Power Safety Inspectorate shall be established by the State Nuclear Power Safety Inspectorate. The Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall issue the attested person with a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection of an indefinite validity.

6. It can be refused to issue a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection if:

1) the natural person does not meet the requirements laid down in paragraphs 2 and/or 3 of this Article;

2) not all, incomplete or inadequately completed documents referred to in paragraph 4 of this Article that are required for the attestation have been submitted and the flaws have not been eliminated within the deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate;

3) the natural person did not pass an exam in accordance with topics specified in the list of topics for training in radiation and physical protection approved by the Minister of Health or in the

list of topics for training in radiation protection approved by the State Nuclear Power Safety Inspectorate.

7. Failure to issue or to provide a reasoned refusal to issue a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection within the deadline specified in paragraph 5 of this Article shall not be deemed as an issue of a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection.

8. A natural person holding a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection shall to:

1) teach topics specified in his/her certificate of attestation in radiation protection and/or certificate of attestation in physical protection;

2) comply with the requirements to the content and minimum duration of the topics specified in the training programs on radiation and/or physical protection;

3) improve their qualification within the topics specified in the certificate of attestation in radiation protection and/or a certificate of attestation in physical protection and every 5 years submit to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate documents or information confirming improvement of their qualification as prescribed by Radiation Protection Centre or the State Nuclear Power Safety Inspectorate accordingly.

9. The Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, when determine that a natural person holding a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection, has not submitted to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate documents or information confirming improvement of their qualification as prescribed in subparagraph 3 of paragraph 8 of this Article, shall notify this person in writing of the possible suspension of the validity of a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection. It also shall be set a deadline of at least 30 calendar days from the delivery of notification on possible suspension of the validity of a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection for the elimination of the breach. A natural person holding a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection if eliminate the breach referred to in this paragraph within a set deadline, shall before the deadline notify of that the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate in writing and shall provide explanation on how the breach was eliminated together

with documents confirming that. The deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate to eliminate the breach specified in this paragraph may be extended by up to one month from the date of receipt of the documents referred to in this paragraph if the natural person holding a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection is reasonably unable to eliminate the breach within the deadline and has submitted a reasoned request for an extension of the deadline.

10. Validity of a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection shall be suspended if the natural person holding a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection:

1) being notified about the possible suspension of the validity of a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection due to the breach referred to in paragraph 9 of this Article did not eliminate the breach within the deadline set by Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, or did not informed Radiation Protection Centre or the State Nuclear Power Safety Inspectorate on elimination of the breach;

2) applied in writing to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate with a request to suspend the validity of a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection.

11. Suspension of the validity of a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection shall be withdrawn if the natural person holding a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection has submitted to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate the following documents:

1) a request for the withdrawal of the suspension of the validity of a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection;

2) an explanation on how the breach which resulted in the suspension of the validity of a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection have been eliminated together with documents confirming that (except the case specified in subparagraph 2 of paragraph 10 of this Article).

12. The validity of a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection shall be withdrawn if the natural person holding a certificate of

attestation in radiation protection and/or a certificate of attestation in physical protection:

1) applied in writing to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate with a request to withdraw the validity of a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection;

2) within the deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate did not eliminate the breach, which resulted in the suspension of validity of a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection as specified in paragraph 1 of this Article;

3) taught topics not specified in his/her certificate of attestation in radiation protection and/or certificate of attestation in physical protection;

4) has not complied with requirements on the content or minimum duration of the topics as specified in the training program on radiation and/or physical protection;

5) continued teaching radiation protection and/or physical protection despite the suspension of the validity of a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection;

6) has died.

13. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall publish on their websites the lists of natural persons holding a valid certificate of attestation in radiation protection and/or certificate of attestation in physical protection.

14. Upon withdrawal of the validity of certificate of attestation in radiation protection and/or a certificate of attestation in physical protection due to the cases specified in subparagraphs 2, 3, 4 and 5 of paragraphs 12 of this Article, a natural person may apply for a new certificate of attestation in radiation protection and/or a certificate of attestation in physical protection not earlier than 6 months after the date of withdrawal of the validity of a certificate of attestation in radiation protection and/or a certificate of attestation in physical protection.

**Article 28. Recognition of persons, including dosimetry services, intending to carry out measurements of human exposure and/or dose rates and/or radioactivity, and/or dose estimates necessary for public health safety**

1. Persons, including dosimetry services, intending to carry out measurements of human exposure and/or dose rates and/or radioactivity (hereinafter - measurements), and/or dose estimates

necessary for public health safety, except those persons, including dosimetry services, carrying out measurements and/or dose estimates at nuclear facilities may perform measurements and dose estimates only after being recognised by the Radiation Protection Centre in accordance with procedure established by the Minister of Health. These persons also must have a certificate of recognition of a person or dosimetry service performing measurements and/or dose estimates issued by the Radiation Protection Centre (hereafter - certificate of recognition). Dosimetry services within nuclear facilities shall be recognised by the State Nuclear Power Safety Inspectorate in accordance with the procedure established by this regulatory authority and shall have a certificate of recognition issued by this regulatory body.

2. The requirement set out in paragraph 1 shall not apply to:

1) persons who have a license or a temporary permit to carry out practices with sources of ionising radiation and who perform measurements of workplace monitoring of s and/or dose estimates for exposed workers based on the results of measurements of workplace monitoring;

2) persons performing radiological investigations and measurements of environmental monitoring on the basis established by the Law on Environmental Monitoring of the Republic of Lithuania;

3) persons performing investigations and measurements within state radiological monitoring and which are accredited by the body belonging to the European Accreditation Organization;

4) persons using results of measurements and/or dose estimates for scientific purposes;

5) persons holding a document issued by a regulatory authority of another Member State confirming their eligibility to perform measurements and/or dose estimates.

3. Persons, including dosimetry services, intending to perform measurements and/or dose estimates shall meet the following requirements:

1) for the purpose of measurement, have to have specialists performing measurements who are trained to perform certain measurements and have documents confirming that;

2) for the purposes of dose estimates, have to have specialists for dose estimates with a university or equivalent degree in any study field belonging to the physical or engineering sciences study areas or in the such study fields as medicine or public health belonging to the health sciences study area;

3) have to have installed and functioning quality management system. Measurements of

individual doses from external exposure and tests performed by the dosimetry service must be accredited by a body affiliated to the European Accreditation Organization and the dosimetry service must have a valid accreditation certificate issued by that body enabling to carry out measurements or tests for estimation of certain parameters;

4) have to have assessed accuracy of measurements referred to in paragraph 1 of this Article in accordance with the procedure specified in the legal acts approved by the Minister of Health or the State Nuclear Power Safety Inspectorate.

4. Persons, including dosimetry services, intending to perform measurements and/or doses estimates shall submit to the Radiation Protection Centre documents confirming their compliance with the requirements set out in paragraph 3 of this Article in accordance with the procedure established by the Minister of Health. Dosimetry service within nuclear facility shall submit to State Nuclear Power Safety Inspectorate documents confirming it compliance with the requirements set out in paragraph 3 of this Article in accordance with the procedure established by this regulatory authority.

5. The Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall, within 30 calendar days from the receipt of all and duly completed documents necessary for recognition, assess the person, including the dosimetry service, intending to perform measurements and/or doses estimates and within this deadline issue or reasonably refuse to issue a certificate of recognition and informs of that the applicant, including the dosimetry service, in writing. If the person, including the dosimetry service, has provided not all, incomplete or inadequate completed documents required for recognition, Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall inform in writing the person, including the dosimetry service, within 5 working days after the receipt of not all, incomplete or inadequately completed documents required for recognition, and shall set a deadline of at least 30 calendar days from the notification of the person, including the dosimetry service, to eliminate flaws. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall issue to a recognised person, including dosimetry service, a certificate of recognition of an indefinite validity.

6. The issue of a certificate of recognition shall be refused if:

1. the person, including the dosimetry service, does not meet the requirements set out in paragraph 3;

2) have been submitted not all, incomplete or inadequately completed documents referred

to in paragraph 4 of this Article that are required for the recognition and the flaws have not been eliminated within the deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate;

3) the submitted documents do not meet the requirements established by the Minister of Health or the State Nuclear Power Safety Inspectorate;

4) the results of the assessment of the accuracy of measurements do not conform to the measurement accuracy established in the legal acts referred to in paragraph 1 of this Article approved by the Minister of Health or the State Nuclear Power Safety Inspectorate.

7. Failure to issue or to provide a reasoned refusal to issue a certificate of recognition within the deadline laid down in paragraph 5 of this Article shall not be deemed as issue of a certificate of recognition.

8. A person, including a dosimetry service, holding a certificate of recognition, shall be entitled to carry out only the measurements and/or dose estimates specified in his/her certificate of recognition.

9. A person, including a dosimetry service, holding a certificate of recognition, shall:

1) provide data to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate in accordance with the procedure established by the Minister of Health or the State Nuclear Power Safety Inspectorate, respectively. The dosimetry service holding a certificate of recognition shall submit data to the State Register of Sources of Ionising Radiation and Occupational in accordance with the procedure established by the Minister of Health when it is authorised by undertaking to provide such data;

2) to ensure that specialists performing measurements and/or dose estimates improve their qualification in the field of performed measurements and/or dose estimates and every 5 years submit to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate documents confirming qualification improvement;

3) to comply with the requirements of the installed quality management system and to improve the installed quality management system. Dosimetry services must comply with requirements on accreditation;

4) to ensure that the accuracy of measurements is in compliance with the measurement accuracy specified in the legal acts referred to in paragraph 1 of this Article approved by the Minister of Health or the State Nuclear Power Safety Inspectorate respectively and to submit every

5 years to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate documents certifying the accuracy of measurements.

10. A person holding a document issued by a regulatory authority of another Member State confirming the eligibility to perform measurements and/or dose estimates shall follow the requirement set out in subparagraph 1 of paragraph 9 of this Article.

11. The Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall notify in writing the person, including the dosimetry service, holding a certificate of recognition, on the possible suspension of the validity of a certificate of recognition, if determine that such person, including the dosimetry service:

1) carried out measurements and/or assessment dose estimates not specified in the certificate of recognition;

2) did not submit data to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate in accordance with the procedure established by the Minister of Health or the State Nuclear Safety Inspectorate respectively, or the dosimetry service did not provide data to the to the State Register of Sources of Ionising Radiation an Occupational Exposure;

3) has not submitted to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate the documents specified in subparagraphs 2 and 4 of paragraph 9 of this Article;

4) has not complied with the requirements of the installed quality management system and has not improved the installed quality management system or the validity of a certificate of accreditation has been suspended or withdrawn;

5) failed to comply with the accuracy of measurements specified in the legal acts referred to in paragraph 1 of this Article approved by the Minister of Health or the State Nuclear Power Safety Inspectorate respectively.

12. Radiation Protection Centre or the State Nuclear Safety Inspectorate, when found the breach referred to in paragraph 11 of this Article within the person, including the dosimetry service, holding a certificate of recognition, shall notify in writing this person, including dosimetry service, on a possible suspension of the validity of a certificate of recognition. Corresponding regulatory authority shall also set a deadline of at least 30 calendar days from the notification of the person, including the dosimetry service, on a possible suspension of the validity of a certificate of recognition to eliminate the breach. A person, including the dosimetry service, holding a certificate of recognition, if eliminates the breach referred to in paragraph 11 of this Article within

a set deadline, shall before the deadline notify of that the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate in writing and shall provide explanation on how the breach was eliminated together with documents confirming that. The deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate to eliminate the breach may be extended by up to one month from the receipt of the documents referred to in this paragraph if the person, including the dosimetry service, holding a certificate of recognition is reasonably unable to eliminate the breach within the set deadline and has submitted a reasoned request for an extension of the deadline.

13. Validity of a certificate of recognition shall be suspended if the person, including the dosimetry service, holding a certificate of recognition:

1) being notified about the possible suspension of the validity of a certificate of recognition due to the breach referred to in paragraph 11 of this Article did not eliminate the breach within the deadline set by Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, or did not informed Radiation Protection Centre or the State Nuclear Power Safety Inspectorate on elimination of the breach;

2) applied in writing to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate with a request to suspend the validity of a certificate of recognition.

14. Suspension of the validity of a certificate of recognition shall be withdrawn if the person, including the dosimetry service, holding a certificate of recognition has submitted to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate the following documents:

1) a request for the withdrawal of the suspension of the validity of a certificate of recognition;

2) an explanation on how the breach, which resulted in the suspension of the validity of a certificate of recognition, have been eliminated together with documents confirming that (except the case specified in subparagraph 2 of paragraph 13 of this Article).

15. The validity of a certificate of recognition shall be withdrawn if the person, including the dosimetry service, holding a certificate of recognition:

1) applied in writing to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate with a request to withdraw the validity of a certificate of recognition;

2) within the deadline set by the Radiation Protection Centre or the State Nuclear Power

Safety Inspectorate did not eliminate the breach, which resulted in the suspension of validity of a certificate of recognition as specified in subparagraph 1 of paragraph 13 of this Article;

3) performed measurements and/or dose estimates despite the suspension of the validity of a certificate of recognition;

4) legal person, other organization or their branch holding a certificate of recognition was liquidated or reorganised through the amalgamation (merging of the legal person, other organization or their branch holding a certificate of recognition with another legal person, other organization or their branch) through the merge, the spin-off and split-off; natural person holding a certificate of recognition has died.

16. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall publish on their websites the list of persons, including dosimetry services, holding a valid certificate of recognition.

17. Upon withdrawal of the validity of certificate of recognition due to the cases specified in subparagraphs 2 and 3 of paragraphs 15 of this Article, a person, including dosimetry service, may apply for a new certificate of recognition not earlier than 6 months after the date of withdrawal of the validity of a certificate of recognition.

18. Radiation Protection Centre shall supervise compliance with requirements established by Minister of Health for recognition of persons, including dosimetry service, performing measurements and/or dose estimates (with the exception for dosimetry services within nuclear facilities and other persons performing measurements and/or dose estimates only within nuclear facilities). The State Nuclear Power Safety inspectorate shall supervise compliance with the requirements established by this regulatory authority for recognition of dosimetry services within nuclear facilities.

19. Radiation Protection Centre or the State Nuclear Power Safety inspectorate, while supervising persons, including dosimetry service, performing measurements and/or dose estimates who are specified in paragraph 18 of this Article, shall enforce such persons to eliminate the breaches of the legal acts regulating requirements on their recognition.

**Article 29. Recognition of a radiation protection expert**

1. A natural person may serve as radiation protection expert only if holds a certificate of radiation protection expert (hereinafter - expert's certificate) issued by the Radiation Protection

Centre in accordance with the procedure established by the Minister of Health. This is not true for a radiation protection expert for practices with sources of ionising radiation within nuclear energy field. A natural person may serve as a radiation protection expert for practices with sources of ionising radiation within nuclear energy field only if holds certificate of an expert issued by the State Nuclear Power Safety Inspectorate in accordance with the procedure established by this regulatory authority. This requirement does not apply to a citizen of the Republic of Lithuania or another Member State, as well as any other natural person exercising his or her right of movement in the Member States under European Union legislation, who holds a document issued by a competent authority of another Member State entitling him/her as a radiation protection expert.

2. Radiation protection expert shall advise and consult the undertaking on radiation protection in order to ensure effective protection of humans and the environment against ionising radiation.

3. A natural person seeking to become a radiation protection expert (except a citizen of the Republic of Lithuania or another Member State, as well as any other natural person exercising his or her right of movement in the Member States under European Union legislation, who holds a document issued by a competent authority of another Member State entitling him/her as a radiation protection expert) must meet the following requirements:

1) have a university or equivalent degree in any study fields that belongs to the physical, engineering, life, veterinary, law sciences study areas as well as in study fields belonging to the health sciences such as medicine, public health, dentistry or medical technology. This is not true for person seeking to become a radiation protection expert for practices with sources of ionising radiation within nuclear energy field, who shall to have a university or equivalent degree in any study fields that belongs to the physical or engineering sciences study areas;

2) have work experience of at least 5 years in the field of radiation protection subject to recognition and which is established in the legal act regulating the recognition of a radiation protection experts approved by the Minister of Health or the State Nuclear Power Safety Inspectorate, respectively;

3) to have knowledge and skills in the field of radiation protection established in the legal act regulating the recognition of radiation protection experts approved by the Minister of Health or the State Nuclear Power Safety Inspection respectively.

4. A natural person seeking to become a radiation protection expert shall submit to the

Radiation Protection Centre or the State Nuclear Power Safety Inspectorate a request for recognition and provide documents confirming compliance with the requirements set out in paragraphs 3 of this Article, as prescribed by the Minister of Health or the State Nuclear Power Safety Inspectorate, respectively.

5. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate must, within 30 calendar days from the receipt of all and duly completed documents necessary for recognition, take a decision on issue or reasonable refuse to issue a natural person seeking to become a radiation protection expert with an expert's certificate and shall inform the applicant in writing on decision taken. If the natural person has submitted the inadequately completed documents required for recognition, the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall notify this natural person of that in writing no later than within 5 working days from the receipt of the documents required for recognition and shall set a deadline of at least 30 calendar days from the date of notification delivery to eliminate flaws. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall issue the person recognised as radiation protection expert with an expert's certificate of an indefinite validity.

6. The issue of an expert's certificate shall be refused if:

1) the person, including the dosimetry service, does not meet the requirements set out in paragraph 3;

2) have been submitted not all, incomplete or inadequately completed documents referred to in paragraph 4 of this Article that are required for the recognition and the flaws have not been eliminated within the deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate;

7. Failure to issue or to provide a reasoned refusal to issue an expert's certificate within the deadline laid down in paragraph 5 of this Article shall not be deemed as issue of an expert's certificate.

8. A person holding an expert's certificate, shall to:

1) advise and consult the undertaking on radiation protection issues specified in the legal act regulating the recognition of radiation protection experts approved by the Minister of Health or the State Nuclear Power Safety Inspectorate respectively;

2) improve qualification in radiation protection and every 5 years submit to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate documents confirming

qualification improvement;

9. Radiation Protection Centre or the State Nuclear Safety Inspectorate, found that the natural person holding the expert's certificate did not followed the obligations referred to in paragraph 8 of this Article, shall notify in writing this person on a possible suspension of the validity of an expert's certificate. Corresponding regulatory authority shall also set a deadline of at least 30 calendar days from the notification of the natural person holding an expert's certificate on a possible suspension of the validity of an expert's certificate to eliminate the breach. A natural person holding an expert's certificate, if eliminates the breach within a set deadline, shall before the deadline notify of that in writing the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate and shall provide explanation on how the breach was eliminated together with documents confirming that. The deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate to eliminate the breach may be extended by up to one month from the date of receipt of the documents referred to in this paragraph if the person holding an expert's certificate is reasonably unable to eliminate the breach within the set deadline and has submitted a reasoned request for an extension of the deadline.

10. Validity of an expert's certificate shall be suspended if the person, including the dosimetry service, holding a certificate of recognition:

1) being notified about the possible suspension of the validity of an expert's certificate due to the breach referred to in paragraph 8 of this Article did not eliminate the breach within the deadline set by Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, or did not informed Radiation Protection Centre or the State Nuclear Power Safety Inspectorate on elimination of the breach;

2) applied in writing to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate with a request to suspend the validity of an expert's certificate.

11. Suspension of the validity of an expert's certificate shall be withdrawn if the natural person holding an expert's certificate has submitted to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate the following documents:

1) a request for the withdrawal of the suspension of the validity of an expert's certificate;

2) an explanation on how the breach, which resulted in the suspension of the validity of an expert's certificate, have been eliminated together with documents confirming that (except the case specified in subparagraph 2 of paragraph 10 of this Article).

12. The validity of an expert's certificate shall be withdrawn if the natural person holding an expert's certificate:

1) applied in writing to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate with a request to withdraw the validity of an expert's certificate;

2) within the deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate did not eliminate the breach, which resulted in the suspension of validity of an expert's certificate as specified in subparagraph 1 of paragraph 10 of this Article;

3) continued to advise and consult the undertaking on radiation protection issues specified in the legal act regulating the recognition of radiation protection experts approved by the Minister of Health or the State Nuclear Power Safety Inspectorate respectively, despite the suspension of the validity an expert's certificate;

4) has died.

13. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall publish on their websites the list of persons holding a valid expert's certificate.

14. Upon withdrawal of the validity of an expert's certificate due to the cases specified in subparagraphs 2 and 3 of paragraphs 12 of this Article, a natural person may apply for a new expert's certificate not earlier than 6 months after the date of withdrawal of the validity of an expert's certificate.

## CHAPTER XII

## TRANSPORTATION OF RADIOACTIVE MATERIALS AND RADIOACTIVE WASTE EXCEPT NUCLEAR FUEL CYCLE MATERIALS AND THE RECOGNITION OF CERTIFICATE OF COMPLIANCE FOR PACKAGES CONSTRUCTION

### Article 30. Issue and withdrawal of the validity of a permit to transport radioactive materials as well as standard document

1. Transport of radioactive materials inside the Republic of Lithuania, import into the Republic of Lithuania from a third country, export from the Republic of Lithuania to a third country and transit between third countries through the territory of the Republic of Lithuania is allowed only under the permit to transport radioactive material issued by the Minister of Health and the State Nuclear Power Safety Inspectorate. Persons seeking to obtain a permit to transport radioactive material intended for transport of radioactive materials inside the Republic of

Lithuania, import into the Republic of Lithuania from a third country, export from the Republic of Lithuania to a third country and transit between third countries through the territory of the Republic of Lithuania must be engaged in practice authorised in accordance with Article 12 of this Law or the Law on Nuclear Safety.

2. Radioactive material may be transported into the Republic of Lithuania from a Member State only under the standard document approved by the Minister of Health and the State Nuclear Power Safety Inspectorate. Transport of radioactive materials from the Republic of Lithuania to a Member State and transit between Member States through the Republic of Lithuania shall be subject to a standard document which is approved by the competent authority of another Member State and agreed by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate. Persons seeking to obtain a standard document approved by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate entitling import of radioactive materials into the Republic of Lithuania from a Member State must be engaged in practice authorised under the procedure established in Article 12 of this Law or the Nuclear Safety Law.

3. Persons seeking to obtain a permit to transport radioactive materials, when it is intended to transport radioactive materials inside the Republic of Lithuania, import into the Republic of Lithuania from a third country, export from the Republic of Lithuania to a third country and transit between third countries through the territory of the Republic of Lithuania, shall apply in the prescribed form to the Radiation Protection Centre or Nuclear Power Safety Inspectorate for permit to transport radioactive materials.

4. Persons intending to import radioactive materials into the Republic of Lithuania from a Member State, export from the Republic of Lithuania to a Member State or transit between Member States through the Republic of Lithuania shall submit directly to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate a standard document of a form established by the Minister of Health and the State Nuclear Power Safety Inspectorate.

5. In accordance with procedure established by the Minister of Health and State Nuclear Power Safety Inspectorate, Radiation Protection Centre or the State Nuclear Power Inspectorate, within 30 calendar days from the receipt of an adequately completed application for a permit to transport radioactive materials or for a standard document, shall to issue a permit to transport radioactive materials or to approve standard document when radioactive material is to be imported into the Republic of Lithuania from a Member State, or to adopt a standard document approved by

the competent authority of another Member State when radioactive material is to be exported to or transit between Member States through the Republic of Lithuania, or shall to reasonably refuse the issue, approval or adoption of a permit or standard document respectively and to inform the applicant of that in writing.

6. If a person has submitted an incorrectly completed application for a permit to transport radioactive materials or a standard document, the Radiation Protection Centre or the State Nuclear Safety Inspectorate, within 5 working days from the receipt of application for a permit to transport radioactive materials or standard document, shall inform in writing the person on the receipt of incorrectly completed documents and shall set a deadline of at least 30 calendar days from the notification delivery to eliminate flaws.

7. An issue of a permit to transport radioactive material, or the approval or adoption of a standard document shall be refused if:

1) the person does not meet the requirements laid down in paragraphs 1 and/or 2 of this Article;

2) the application for permit to transport radioactive material or standard document has been incorrectly completed and the flaws have not been eliminated within the deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate;

3) the requirements for the transport of radioactive materials established by the Minister of Health and the State Nuclear Power Safety Inspectorate have not been followed.

8. Failure to issue the permit to transport radioactive material or to approve or adopt a standard document as well as to refuse an issue, approval or adoption of permit to transport radioactive material or a standard document respectively within the deadline laid down in paragraph 5 shall not be deemed as an issue of permit to transport radioactive material or approval or adoption of a standard document.

9. Permit to transport radioactive material and a standard document shall be valid for 3 years, unless a shorter validity is specified in these documents. The validity of the permit to transport radioactive material and of a standard document shall be determined by the date of transportation specified in the application.

10. The validity of a permit to transport radioactive materials or a standard document shall be withdrawn if:

1) the holder of a permit to transport radioactive materials or a standard document applied

in writing to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate with a request to withdraw validity of a permit to transport radioactive materials or a standard document;

2) it was found while implementing the supervision that the holder of a permit to transport radioactive materials or a standard document, within the deadline the set by the Radiation Protection Centre or State Nuclear Power Safety Inspectorate, has not eliminated the breaches of the requirements for the transport of radioactive materials established by the Minister of Health and the State Nuclear Power Safety Inspectorate, and/or of the requirements on radiation protection laid down in the legislation on radiation protection approved by the Minister of Health, or of the requirements for the physical protection specified in the legislation on physical protection approved by the Minister of Health or the State Nuclear Power Safety Inspectorate;

3) legal person, other organization or their branch holding a permit to transport radioactive material or a standard document was liquidated or reorganised through the amalgamation (merging of the legal person, other organization or their branch holding a permit to transport radioactive material or a standard document with another legal person, other organization or their branch) through the merge, the spin-off and split-off; natural person holding a permit to transport radioactive material or a standard document has died.

11. Upon withdrawal of the validity of a permit to transport radioactive material or a standard document due to the cases specified in subparagraphs 2 of paragraph 10 of this Article, a person, may apply for an issue of a permit to transport radioactive material or approval or adoption of a standard document not earlier than 3 months after the date of withdrawal of the validity of a permit to transport radioactive material or a standard document.

**Article 30. Issue and withdrawal of the validity of a permit to transport radioactive waste except those arising from the nuclear fuel cycle**

1. Radioactive waste except those arising from the nuclear fuel cycle may be transported inside, import into, export from and transit through the Republic of Lithuania only under the permit to transport radioactive waste except those from nuclear fuel cycle issued by the Minister of Health and the State Nuclear Power Safety Inspectorate. Persons seeking to obtain a permit to transport radioactive waste except those arising from the nuclear fuel cycle, when radioactive waste except those arising from the nuclear fuel cycle intended to be transported inside or exported from the Republic of Lithuania, must be engaged in practice authorised in accordance with Article 12 of

this Law or the Law on Nuclear Safety.

2. When radioactive waste except those arising from the nuclear fuel cycle is to be exported from the Republic of Lithuania, Radiation Protection Centre, within 5 working days after direct receipt of adequately completed application, forward an application to the competent authorities of the countries accepting or providing transit for radioactive waste except those arising from the nuclear fuel cycle for obtaining their consent. Radiation Protection Centre, within 30 calendar days after consent of the competent authorities of the countries accepting and providing transit for radioactive waste except those arising from the nuclear fuel cycle is received, shall issue a permit to transport radioactive waste except those arising from the nuclear fuel cycle, or within this deadline, shall reasonably refuse to issue such permit and shall inform in writing the applicant and the competent authorities of the countries accepting and providing transit for radioactive waste except those arising from the nuclear fuel cycle. If a person has submitted an inadequately completed application, the Radiation Protection Centre, within 5 working days from the receipt of the application, shall inform the person in writing that the application has been inadequately completed and shall set a deadline of at least 30 calendar days from notification delivery to eliminate flaws.

3. When radioactive waste except those arising from the nuclear fuel cycle, is intended to be imported to or transit through the Republic of Lithuania, Radiation Protection Centre, within 20 calendar days of receipt of adequately completed application from competent authority of the country of origin of radioactive waste except those arising from the nuclear fuel cycle (hereinafter -the country of origin) shall send an approval of receipt of an application to the competent authority of the country of origin and a copy thereof to the competent authorities of the transit countries. The Radiation Protection Centre, within 2 months from the delivery of the approval of application receipt, shall notify the competent authority of the country of origin of its consent to permit to import to or transit through the Republic of Lithuania radioactive waste except those arising from the nuclear fuel cycle, or of the particular conditions which must be implemented for consent, or shall reasonably refuse consent within this deadline. Radiation Protection Centre may request the competent authority of the country of origin to extend deadline for expressing its position by a maximum of one month.

4. When radioactive waste except those arising from the nuclear fuel cycle, is intended to be transported inside the Republic of Lithuania, Radiation Protection Centre, within 30 calendar

days from the receipt of an adequately completed application, shall issue or reasonably refuse to issue a permit to transport radioactive waste except those arising from the nuclear fuel cycle, and shall inform the applicant of that in writing. If the person has submitted an inadequately completed application, the Radiation Protection Centre, within 5 working days from the receipt of the application, shall inform the person in writing that the application has been inadequately completed and shall set a deadline of at least 30 calendar days from notification delivery to eliminate flaws.

5. The issue of a permit to transport radioactive waste except those arising from the nuclear fuel cycle shall be refused if:

1) the person does not meet the requirement laid down in paragraph 1 of this article;

2) the application was inadequately completed and the flaws were not eliminated within the deadline set by the Radiation Protection Centre;

3) the requirements for transportation of radioactive waste except those arising from the nuclear fuel cycle, established by the Minister of Health and the State Nuclear Power Safety Inspectorate, have not been followed.

6. Failure to issue or to provide the reasoned refuse to issue a permit to transport radioactive waste except those arising from the nuclear fuel cycle in the cases referred to paragraphs 2 or 4 of this Article within the deadline laid down in in paragraph 2 and 4 shall not be deemed as an issue of a permit to transport radioactive waste except those arising from the nuclear fuel cycle.

7. Permit to transport radioactive waste except those arising from the nuclear fuel cycle, shall be valid for 3 years, unless the shorter validity is specified in the permit. Transportation conditions specified by the competent authorities of countries accepting and providing transit for radioactive waste except those arising from the nuclear fuel cycle shall be taken into account when determining the validity of a permit to transport radioactive waste except those arising from the nuclear fuel cycle.

8. The validity of a permit to transport radioactive waste except those arising from the nuclear fuel cycle shall be withdrawn if:

1) the holder of a permit to transport radioactive waste except those arising from the nuclear fuel cycle applied in writing to the Radiation Protection Centre with a request to withdraw validity of a permit to transport radioactive waste except those arising from the nuclear fuel cycle;

2) it was found while implementing the supervision that the holder of a permit to transport radioactive waste except those arising from the nuclear fuel cycle, within the deadline the set by

the Radiation Protection Centre has not eliminated the breaches of the requirements for the transportation of radioactive waste except those arising from the nuclear fuel cycle established by the Minister of Health and the State Nuclear Power Safety Inspectorate, and/or of the requirements on radiation and/or physical protection laid down in the legislation on radiation and/or physical protection approved by the Minister of Health;

3) legal person, other organization or their branch holding a permit to transport radioactive waste except those arising from the nuclear fuel cycle was liquidated or reorganised through the amalgamation (merging of the legal person, other organization or their branch holding a permit to transport radioactive waste except those arising from the nuclear fuel cycle with another legal person, other organization or their branch) through the merge, the spin-off and split-off; natural person holding a permit to transport radioactive waste except those arising from the nuclear fuel cycle has died.

11. Upon withdrawal of the validity of a permit to transport radioactive waste except those arising from the nuclear fuel cycle due to the cases specified in subparagraphs 2 of paragraph 8 of this Article, a person, may apply for an issue of a new permit to transport radioactive waste except those arising from the nuclear fuel cycle not earlier than 3 months after the date of withdrawal of the validity of a permit to transport radioactive waste except those arising from the nuclear fuel cycle.

**Article 32. Issue and the withdrawal of validity of a certificate of recognition of the certificate of compliance for packages construction**

1. Radioactive materials, except nuclear and fissile materials, together with their quantities specified in Annex 1 to the Law on Nuclear Safety, as well as of radioactive waste except those arising from the nuclear fuel cycle and other materials which became radioactive due to the use within nuclear facility, may be transported the in B(M), B(U), and C type packages specified in the international agreements regulating the transport of dangerous goods only upon a certificate of recognition of the certificate of compliance for packages construction issued in accordance with procedure laid down in the legal act approved by the Radiation Protection Centre regulating an issue of a certificate of recognition of the certificate of compliance for packages construction.

2. A person seeking to obtain a certificate of recognition of the certificate of compliance for packages construction shall submit to the Radiation Protection Centre the documents required for the issue of a certificate of recognition of the certificate of compliance for packages

construction which are specified in the legal act approved by the Radiation Protection Centre regulating an issue of a certificate of recognition of the certificate of compliance for packages construction. The Radiation Protection Centre, within 30 calendar days of the receipt of all the documents required for the issue of a certificate of recognition of the certificate of compliance for packages construction, shall issue or reasonable refuse to issue a certificate of recognition of the certificate of compliance for packages construction and shall inform the applicant of that in writing.

3. If a person has provided not all, incomplete or inadequately completed documents necessary for the issue of a certificate of recognition of the certificate of compliance for packages construction, Radiation Protection Centre, within 5 working days from the receipt of the documents, shall inform this person in writing on receipt of not all, incomplete or inadequately completed documents necessary for the issue of a certificate of recognition of the certificate of compliance for packages construction, and shall set a deadline of at least 30 calendar days from notification delivery to eliminate flaws.

4. The issue of a certificate of recognition of the certificate of compliance for packages construction shall be refused if there were submitted not all, incomplete or inadequately completed documents necessary for the issue of a certificate of recognition of the certificate of compliance for packages construction and the flaws have not been eliminated within the deadline set by the Radiation Protection Centre.

5. Failure to issue or to provide a reasoned refusal to issue a certificate of recognition of the certificate of compliance for packages construction within the deadline laid down in paragraph 2 of this Article shall not be deemed as an issue of a certificate of recognition of the certificate of compliance for packages construction.

6. The validity of a certificate of recognition of the certificate of compliance for packages construction shall be withdrawn if the validity of a certificate of compliance for packages construction for which recognition a certificate of recognition of the certificate of compliance for packages construction was issued has expired and has not been renewed.

## CHAPTER XIII
## INTERNATIONAL COOPERATION AND PROVISION OF INFORMATION

**Article 33. International cooperation**

1. Governmental authorities within their competence, shall cooperate and provide information to international organizations and foreign authorities in following cases:

1) in the event of an emergency occurring on of the Republic of Lithuania or the event of an emergency occurring in the territory of other country is likely to have radiological consequences on the territory of the Republic of Lithuania. In such cases Governmental authorities promptly establish contact with all other countries which may be involved or are likely to be radiologically affected with a view to sharing the assessment of the exposure situation and coordinating protective measures and public information by using, as appropriate, bilateral or international information exchange and coordination systems. However, these coordination activities shall not prevent or delay public information or any other necessary protective actions to be taken in the territory of the Republic of Lithuania.

2) when have information on the loss, theft or discovery of high-activity sealed sources, other radioactive sources and radioactive material of concern within the territory of the Republic of Lithuania and related follow-up or investigations

3) when the transition from an emergency exposure situation to an existing exposure situation is foreseen within the Republic of Lithuania due to an emergency occurred in the territory of the Republic of Lithuania or other country.

2. Radiation Protection Centre and the State Nuclear Power Safety Inspectorate shall cooperate with the authorities supervising radiation protection and/or nuclear safety in neighbouring Member States, *inter alia*, by exchanging and/or sharing information on radiation protection assurance due to the undertakings engaged in practices within Republic of Lithuania or these Member States.

**Article 34. Provision of information and the public involvement in the authorisation of practice**

1. Radiation Protection Centre and the State Nuclear Power Safety Inspectorate, at least once a year, shall publish information on the assurance of radiation and physical protection and the results of supervision of the practices carried out by undertakings.

2. Radiation Protection Centre and the State Nuclear Power Safety Inspectorate, shall respond to the inquiries regarding the status of radiation and physical protection received from the state and municipal authorities and bodies, public and other parties concerned, including persons

in the vicinity of the undertaking, or hold meetings on these issues.

3. The provision of information within the competence of international organizations, regulatory bodies of other Member States and other parties concerned is mandatory if:

1) supervisory experience has been acquired regarding issues of radiation or physical protection is relevant to the regulatory authorities of other Member States;

2) information on the intention to manufacture or import a consumer product, the intended use of which is classified as a new practice, has been received or a decision has been made on the justification of such new practice.

4. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall be responsible for collecting and providing the information referred to in subparagraph 1 of paragraph 3 of this Article to international organizations and other parties concerned, including manufacturers and suppliers of radioactive sources. Radiation Protection Centre shall be responsible for collecting and providing to the regulatory authorities of other Member States the information referred to in subparagraph 2 of paragraph 3 of this Article.

5. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, while authorising practices that are not subject to an environmental impact assessment of the intended economic activity, but which may affect public health or the environment due to the risks arising from ionising radiation, shall publish information on such practices on its website within 5 working days of receipt of such documents. Public shall have the right to submit proposals and inquiries to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate within 5 working days from the publication of information on such practices on the website of the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall consider public proposals and inquiries regarding the authorisation of these practices, without prejudice to the terms established in paragraph 2 of Articles 13 and paragraph 2 of Article 14 of this Law.

## ANNEX I
## LIST OF PRACTICES SUBJECT TO THE REGISTRATION

1. Practice with sources of radioactive sources of risk category V, with the exception of *in vivo use* of such radioactive sources in medicine and veterinary.

2. Practice with stationary level, density, moisture gauges containing radioactive sources of risk category IV.

3. Practice with baggage control X-ray equipment with the exception of stationary railway rolling stock as well as fixed and mobile vehicle control X–ray systems.

4. Practice with fluorescent X-ray spectrometers.

5. Practices with cabinet X-ray equipment for quality control, X-ray optics, X-ray inspection systems for foreign body detection, X-ray analysers and other X-ray equipment, except those used for medical exposures or for non- medical imaging purposes as well as those containing X–ray tube of nominal voltage greater than 75 kV.

6. Practice with intraoral X-ray equipment used in dentistry.

7. Practice with medical X-ray bone densitometers.

8. Practice with equipment generating secondary X-ray.

9. Trade of sources of ionising radiation, with except for trade of radioactive sources of risk categories I, II, III.

10. Maintenance, repair and installation of sources of ionising radiation involved in practices listed in paragraphs 1 to 8 of this Annex.

11. Transport of radioactive sources of risk category V

12. Practice under the exposure to ionising radiation, other than in the nuclear facility, within other licensee when exposed workers falls into the category B.

13. Practice under the exposure to ionising radiation in the controlled area of a nuclear facility, when exposed worker falls into category B.

14. Practice under the exposure to ionising radiation arising from naturally occurring radioactive materials if:

14.1. despite the actions taken to optimise the radiation protection, the average annual radon activity concentration at workplaces continues to exceed the reference level set by the Minister for Health;

14.2. practice involving naturally occurring radioactive material determined by the Minister of Health may lead to an exposure of worker greater than an annual effective dose of 1 mSv.

14.3. practices performed under the conditions of the existing exposure situation, which cannot be disregarded from a radiation protection point of view, and subject to the radiation protection requirements established by this Law and other legal acts regulating radiation protection, if such practice results in annual effective doses to workers greater than 1 mSv;

14.4. annual effective dose to a member of aircraft crew exceeds 6 mSv.

## ANNEX II

## IMPLEMENTING LEGISLATION OF THE EUROPEAN UNION

1. Council Directive 2006/117/ Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel (OJ 2006 L 337, p. 21)

2. Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom (OL 2014 L 13, p. 1)

3. Regulation (EU) 2016/679 Of The European Parliament And Of The Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OL 2016 L 119, p. 1).

**Article 2. Entry into force and implementation of the law**

1. This Law, with the exception of paragraphs 3 and 4 of Article 8 and paragraphs 3 and 4 of Article 3 of the Law of the Republic of Lithuania on Radiation Protection, shall enter into force on 1 September 2018

2. Paragraphs 3 and 4 of Article 8 and paragraphs 3 and 4 of Article 3 of the Law of the Republic of Lithuania on Radiation Protection, set out in Article 1 of this Law, shall enter into force on 1 November 2018. November 1,

3. The Government of the Republic of Lithuania, the Minister of Health of the Republic of Lithuania, the Radiation Protection Centre and the State Nuclear Power Safety Inspectorate before 31 August 2018 shall adopt the legislation implementing the Law on Radiation Protection set forth in Article 1 of this Law.

4. Government by 2018 August 31 designate contact points for liaison with the contact points of other Member States and with the European Commission, identify the areas of competence of these contact points and inform the European Commission of the names, addresses and areas of competence of these contact points and inform the European Commission subsequently.

5. Licenses, temporary permits, permits to transport radioactive materials, permits to transport radioactive waste generated during the non-nuclear fuel cycle and certificates of attestation, for which it was applied before the date of coming into force of this Law, shall be issued in accordance with the procedure established by this Law.

6. Certificates of defined validity issued before the date of entry into force of this Law shall be considered valid for an unlimited period after the entry into force of this Law.

7. Persons who carried out practices not subject to notification before the date of coming into force of this Law shall notify on such practices within 6 months from the date of coming into force of this Law in accordance with Article 10 of the Law on Radiation Protection laid dawn in Article 1 of this Law.

8. A person holding license or temporary permit to carry out practices with sources of ionising radiation within nuclear energy field issued by Radiation Protection Centre before 1 October 2011, shall not be issued with new or addition license or temporary permit to carry out practices with sources of ionising radiation within nuclear facility or to temporary operate under the exposure to ionising radiation within nuclear facility, if the performing or intended practice corresponds to the type of license or temporary permit issued by the Radiation Protection Centre. Radiation Protection Centre may issue or revise such license or temporary permit, or amend the operating conditions specified in the license or temporary permit only after the State Nuclear Power Safety Inspectorate, within its competence, has adopt the documents specified in the set out in the Rules for authorisation of practice with sources of ionising radiation approved by the Government. If a person intends to carry out practice with sources of ionising radiation within nuclear energy field which do not conform to the type of license or temporary permit issued by the

Radiation Protection Centre, the State Nuclear Power Safety Inspectorate shall issue a new license or temporary permit for this practice.

9. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall, within one year from the date of coming into force of this Law, review the valid licenses and temporary permits issued before the date of coming into force of this Law. If the practices performed under the issued licenses or temporary permits do not correspond to the types of licenses or temporary permits specified in the Law on Radiation Protection laid down in Article 1 of this Law, Radiation Protection Centre or the State Nuclear Power Safety Inspectorate shall withdraw such licenses or temporary permits and issue the licenses or temporary permits of type corresponding to the practices being performed. In this case, no state fee shall be charged for the issue of the license or temporary permit. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate may require the necessary documents from the licensee or temporary permit holder to make the necessary amendments. The licensee or temporary permit holder shall submit these documents no later than within the deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, which may not be less than 3 months. The submitted documents shall be examined and the operating conditions specified in the license or temporary permit shall be amended in accordance with the procedure established in the Law on Radiation Protection set forth in Article 1 of this Law and in the Rules for authorisation of practice with sources of ionising radiation approved by the Government.

10. If a person performs practice under a license or temporary permit issued by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate and also or only performs practices specified in the List of practices subject to the registration provided in Annex 1 of the Law on Radiation Protection specified in Article 1 of this Law. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, within two years after the entry into force of this Law, shall amend or withdraw such license or temporary permit and shall register such practices. In this case, no state fee is charged for the registration of the practice. Radiation Protection Centre or the State Nuclear Power Safety Inspectorate may require the necessary documents from the licensee or temporary permit holder to make the necessary amendment. Licensee or temporary permit holder shall submit these documents not later than within the deadline set by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, which shall not be less than 3 months. The submitted documents shall be examined, the license or temporary permit shall be

withdrawn, and the practices shall be registered in accordance with the Law on Radiation Protection set forth in Article 1 of this Law and in the Rules for authorisation of practice with sources of ionising radiation approved by the Government.

*I promulgate this Law enacted by the Seimas of the Republic of Lithuania.*

President of the Republic of Lithuania Dalia Grybauskaitė